

# TSD File Inventory Index

Date: March 29, 2007

Initial: CM Guerrero

Facility Name: <u>Leisurecycle, Inc.</u>		
Facility Identification Number: <u>ILR 000 049833</u>		
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<b>A.2 Part A / Interim Status</b>	X	.1 Correspondence
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3 Part A Application and Amendments	X	<b>C.2 Compliance/Enforcement</b>
4 Financial Insurance (Sudden, Non Sudden)		.1 Land Disposal Restriction-Notifications
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.2 Interim Measures		.1 Correspondence	
.3 CMS Workplan		.2 Reports	
.4 CMS Draft/Final Report		<b>F Imagery/Special Studies</b> (Videos, photos, disks, maps, blueprints, drawings, and other special materials.)	
.5 Stabilization		<b>G.1 Risk Assessment</b>	
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.7 Lab Data, Soil-Sampling/Groundwater		.2 Compliance and Enforcement	
<b>D.4 Corrective Action Remediation Implementation</b>		.3 Enforcement Confidential	
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.2 CMI Workplan		.5 Permitting	
.3 CMI Program Reports and Oversight		.6 Corrective Action Remediation Study	
.4 CMI Draft/Final Reports		.7 Corrective Action/Remediation Implementation	
.5 CMI QAPP		.8 Endangered Species Act	
.6 CMI Correspondence		.9 Environmental Justice	

Note: Transmittal Letter to Be Included with Reports.  
Comments \_\_\_\_\_





# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

IEPA #: 0974455001

Permit Log #: B-168R

Notice #: PB-02-12

USEPA #: ILR000049833

Initial Publication: July 5, 2012

## PUBLIC NOTICE OF HAZARDOUS WASTE PERMIT RENEWAL

The Illinois Environmental Protection Agency (EPA) hereby gives notice of intent to renew a Resource Conservation and Recovery Act (RCRA) hazardous waste management permit held by Fluorecycle, Inc. located at 27780 W. Concrete Drive, Unit A, Lakemoor, Illinois however the facility's mailing address is Ingleside. Fluorecycle is currently storing waste mercury-containing high intensity discharge (HID) and fluorescent light bulbs (lamps) under its RCRA permit. This permit renewal would allow this activity to continue.

The interested public is invited to review copies of the permit application, draft permit and related fact sheet, at:

River East Public Library  
813 West Route 120  
McHenry, IL 60051

Written comments on the draft permit may be submitted during the 45-day comment period. Please send comments to the Illinois EPA contact listed at the end of this Notice postmarked by midnight, August 20, 2012. In response to public requests or at the discretion of the Agency, a public hearing can be held to clarify technical issues concerning the draft permit. A public hearing request must be made in writing, express opposition to the draft permit and state the nature of the issue(s) to be raised at the hearing. Written hearing requests should be sent to the Illinois EPA contact listed below. Public notice will be issued 45 days before a hearing is held.

All comments timely received will become part of the Administrative Record (AR) and will be evaluated by the Agency in making the final permit decision. The Agency will respond to comments on the draft permit and indicate whether additional documents have been included in the AR. Commenters will be notified of the final permit decision and the permit decision appeal process.

The AR, including the permit application, draft permit, related information and all data submitted by the applicant, is now available for public inspection by appointment only, Monday through Friday between 9:00 a.m. and 5:00 p.m. Please telephone the Illinois EPA contact below for an appointment to view the documents at Illinois EPA's offices in Springfield.

Mara McGinnis, Public Involvement Coordinator (#5)

Illinois Environmental Protection Agency

1021 North Grand Avenue East, P. O. Box 19276

Springfield, Illinois 62794-9276

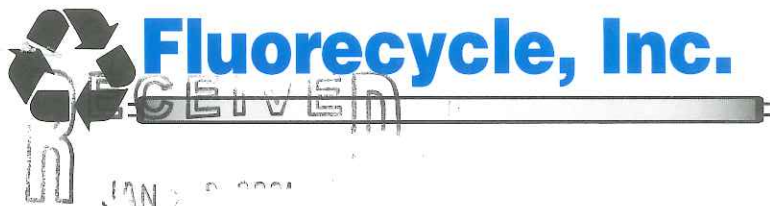
Phone: 217/524-3288

(TDD: 217-782-9143)

For further RCRA information, go to: <http://www.epa.gov/epawaste/wycd/manag-hw/e00-001a.pdf>

###



**Fluorecycle, Inc.**

27780 W. Concrete Dr., Unit A  
Ingleside, IL 60041  
Phone: 815-363-4411  
Fax: 815-363-4422  
E-Mail: sales@Fluorecycle.com  
Web: www.fluorecycle.com

MNCHENRY PERMIT C  
WASTE MANAGEMENT & TREATMENT  
U.S. EPA - REGION 5

**PUBLIC NOTICE OF PERMIT APPLICATION**

Fluorecycle, Inc. has applied to the Illinois Environmental Protection Agency (EPA) for a Resource Conservation and Recovery Act (RCRA) and Hazardous and Solid Waste Amendments (HSWA) permit to allow the storage of spent lamps (light bulbs) at their facility at 27780 West Concrete Drive, Unit A, Ingleside, Illinois 60041. High intensity discharge (HID) and mercury-containing fluorescent lamps generated by commercial or industrial facilities are designated as RCRA-regulated waste under the Universal Waste Rule (Federal Law and Title 35 IAC part 733) and are prohibited from disposal in municipal landfills. Fluorecycle, Inc. is responsible under RCRA for the safe management of these wastes prior to recycling operations to reclaim the mercury, glass, and metals. The recycling and reclamation activities are exempt from RCRA's hazardous waste treatment regulations.

Interested citizens are invited to review copies of Fluorecycle, Inc.'s permit application at the following location:

MCHENRY NUNDA PUBLIC LIBRARY  
813 W. ROUTE 120  
MCHENRY, IL 60050

A meeting with Fluorecycle, Inc. to address any issues concerning this permit application may be requested by any interested person. Please contact Leonard Worth President, Fluorecycle, Inc., at 815-363-4411 to request such a meeting or to request additional information.

If you wish to receive notice of future permitting activities by the Illinois EPA for Fluorecycle, Inc., but did not receive this notice directly, please contact the Illinois EPA

Public Involvement Coordinator listed at the end of this notice with a request to be placed on the mailing list. If you received this notice directly and do not wish to remain on the Fluorecycle, Inc. RCRA permit mailing list, please also contact the Public Involvement Coordinator to have your name removed.

The Illinois EPA received the original application on March 5, 1999. Revision/amendments have been made to the original document. Interested citizens may submit written comments on the current permit application, dated 20 June 2000, as amended October 2000, to the Illinois EPA for the next 30 days until February 15, 2001. Written comments must be sent to the Public Involvement Coordinator listed at the end of this notice. The Illinois EPA's review process will culminate in a draft decision whether to issue or deny a permit to Fluorecycle, Inc. The Illinois EPA will public notice its draft decision and open a 45-day comment period to accept comments on the draft permit.

The permit application, related information and all data submitted by the applicant, as part of the Administrative Record, are now available for public inspection Monday through Friday between 9:00 a.m. and 5:00 p.m. by appointment only in Springfield, at the Illinois EPA's Headquarters Office. Please contact:

Mara McGinnis, Public Involvement Coordinator  
Office of Community Relations  
Illinois EPA  
1021 North Grand Ave., East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
Phone: 217-524-3288 TDD: 217-782-9143

PLEASE TELEPHONE AHEAD FOR AN APPOINTMENT TO VIEW THE  
DOCUMENTS.

RECEIVED  
JAN 23 2001

MNOHWI PERMIT SECTION - WMB  
Waste, Pesticides & Toxics Division  
U.S. EPA - REGION 5



## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

MNOHVI PERMIT DECISION - WMB  
Waste, Pesticides & Toxics Division  
U.S. EPA - REGION 5

THOMAS V. SKINNER, DIRECTOR

IEPA NO.: 0974455001  
ILD NO.: ILRD000049833  
NOTICE NO.: PB-01-01

DATE: March 21, 2001

### **PUBLIC NOTICE OF DRAFT HAZARDOUS WASTE MANAGEMENT PERMIT**

The Illinois Environmental Protection Agency (EPA) hereby gives notice of intent to issue a Resource Conservation and Recovery Act (RCRA) and Hazardous and Solid Waste Amendments (HSWA) permit to Fluorecycle, Inc. to allow the storage of mercury-containing waste lamps ("light bulbs") at their Lakemoor facility. Their mailing address is 27780 West Concrete Drive, Unit A, Ingleside, Illinois 60041. Spent high intensity discharge (HID) and some fluorescent lamps generated by commercial or industrial sources are designated as RCRA-regulated waste due to their mercury content. Fluorecycle, Inc. is responsible under RCRA for the safe management of these wastes prior to recycling operations to reclaim the mercury, glass and metals. The recycling and reclamation activities are exempt from RCRA's hazardous waste treatment regulations. Fluorecycle is not currently storing these wastes.

Interested citizens are invited to review copies of the Illinois EPA's draft permit, Fluorecycle's permit application and a summary fact sheet at the following location:

**McHENRY NUNDA PUBLIC LIBRARY  
813 W. ROUTE 120  
McHENRY, ILLINOIS 60050**

Interested citizens may submit written comments on the permit decision documents during the 45-day comment period. Send all comments to the Public Involvement Coordinator listed at the end of this Notice postmarked by midnight, May 5, 2001. In response to public requests or at the discretion of Illinois EPA, a public hearing can be held to clarify one or more issues concerning the draft permit decision. A request for a public hearing must be made in writing and must state the nature of the issue(s) to be raised at the hearing. Written requests should be sent to the Public Involvement Coordinator listed below. Public notice will be issued 45 days before any hearing.

All comments submitted will become part of the Administrative Record and will be evaluated by Illinois EPA in making the final permit decision. The Agency will respond to comments on the draft permit decision. Anyone who submits written comments will be notified of the final permit decision.

GEORGE H. RYAN, GOVERNOR

The Illinois EPA is authorized to administer the RCRA/HSWA program in Illinois. The program regulates the management of Universal Wastes such as spent fluorescent and HID lamps as well as the management of other hazardous wastes.

In addition to the materials at the repository location, the draft permit decision, related information and all data submitted by the applicant, as part of the Administrative Record, are now available for public inspection Monday through Friday between 9:00 a.m. and 5:00 p.m. by appointment only in Springfield, at the Illinois EPA's Headquarters Office. Please contact:

Mara McGinnis, Public Involvement Coordinator  
Office of Community Relations  
Illinois EPA  
1021 North Grand Ave., East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
Phone: 217-524-3288 TDD: 217-782-9143

Please telephone ahead for an appointment to view the documents.

###



Please refer to Section V, Line-by-Line Instructions for Completing Form 8700-12 before completing this form. The information requested here is required by law (Section 3010 of the Resource Conservation and Recovery Act).



# Notification of Regulated Waste Activity

United States Environmental Protection Agency

Date Received  
(For Official Use Only)

APR 07 1998

PROGRAM MANAGEMENT BRANCH

## I. Installation's EPA ID Number (Mark 'X' in the appropriate box)



A. Initial Notification

B. Subsequent Notification  
(Complete Item C)

C. Installation's EPA ID Number

ILR0000049833

## II. Name of Installation (Include company and specific site name)

F l u o r e c y c l e , I n c .

## III. Location of Installation (Physical address not P.O. Box or Route Number)

Street

1 7 7 8 0 W e s t C o n c r e t e D r

Street (Continued)

U n i t A

City or Town

L a k e m o o r

State

I L

Zip Code

6 0 0 4 1 -

County Code

0 9 7

County Name

L a k e C o u n t y

## IV. Installation Mailing Address (See Instructions)

Street or P.O. Box

S a m e

City or Town

State

Zip Code

## V. Installation Contact (Person to be contacted regarding waste activities at site)

Name (Last)

W o o d s

(First)

R o b e r t M .

Job Title

C h a i r m a n

Phone Number (Area Code and Number)

8 4 7 - 2 5 9 - 6 4 5 0

## VI. Installation Contact Address (See Instructions)

A. Contact Address  
Location Mailing

B. Street or P.O. Box

City or Town

State

Zip Code

## VII. Ownership (See Instructions)

A. Name of Installation's Legal Owner

Also, please see Attachment 1.

R o b e r t M . W o o d s

Street, P.O. Box, or Route Number

2 7 7 8 0 W C o n c r e t e D r U n i t A

or Town

L a k e m o o r

State

I L

Zip Code

6 0 0 4 1 -

Phone Number (Area Code and Number)

8 4 7 - 2 5 9 - 6 4 5 0

B. Land Type

P

C. Owner Type

P

D. Change of Owner  
Indicator

Yes

No



(Date Changed)

Month

Day

Year

## ID - For Official Use Only

## VIII. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. Refer to Instructions)

## A. Hazardous Waste Activity

## 1. Generator (See Instructions)

- ☐ a. Greater than 1000kg/mo (2,200 lbs.)  
☐ b. 100 to 1000 kg/mo (220-2,200 lbs.)  
☒ c. Less than 100 kg/mo (220 lbs)

## 2. Transporter (Indicate Mode in boxes 1-5 below)

- ☐ a. For own waste only  
☐ b. For commercial purposes

## Mode of Transportation

- ☐ 1. Air  
☐ 2. Rail  
☐ 3. Highway  
☐ 4. Water  
☐ 5. Other - specify

☒ 3. Treater, Storer, Disposer (at installation) Note: A permit is required for this activity, see Instructions.

## 4. Hazardous Waste Fuel

- ☐ a. Generator Marketing to Burner  
☐ b. Other Marketers  
☐ c. Boiler and/or Industrial Furnace

☐ 1. Smelter Deferral  
☐ 2. Small Quantity Exemption  
Indicate Type of Combustion Device(s)

- ☐ 1. Utility Boiler  
☐ 2. Industrial Boiler  
☐ 3. Industrial Furnace

☐ 5. Underground Injection Control

## B. Used Oil Recycling Activities

## 1. Used Oil Recycling Marketer

- ☐ a. Marketer Directs Shipment of Used Oil to Off-Specification Burner  
☐ b. Marketer Who First Claims the Used Oil Meets the Specifications

## 2. Used Oil Burner - Indicate Type(s) of Combustion Device

- ☐ a. Utility Boiler  
☐ b. Industrial Boiler  
☐ c. Industrial Furnace

## 3. Used Oil Transporter - Indicate Type(s) of Combustion Device(s)

- ☐ a. Transporter  
☐ b. Transfer Facility

## 4. Used Oil Processor/Re-refiner - Indicate Type(s) of Activity(ies)

- ☐ a. Process  
☐ b. Re-refine

## IX. Description of Regulated Wastes (Use additional sheets if necessary)

## A. Characteristics of Nonlisted Hazardous Wastes. (Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles; See 40 CFR Parts 261.20 - 261.24)

## 1. Ignitable (D001)

☐

## 2. Corrosive (D002)

☐

## 3. Reactive (D003)

☐

## 4. Toxicity Characteristic

☒

(List specific EPA hazardous waste number(s) for the Toxicity characteristic contaminant(s))

D 0 0 9

## B. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; See instructions if you need to list more than 12 waste codes.)

1
7

2
8

3
9

4
10

5
11

6
12

## C. Other Wastes. (State or other wastes requiring a handler to have an I.D. number; See instructions.)

1

2

3

4

5

6

## X. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Name and Official Title (Type or print)

Leonard Worth  
President

Date Signed

3/13/98

## XI. Comments

The facility will store spent fluorescent and high intensity discharge lamps.

Waste generated is, possibly, minor amounts of residue from release clean-ups.

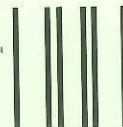
Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)

4/11/98





UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

Michael Valentino  
U.S EPA / Region 5 LR-8J  
77 W. Jackson Blvd  
Chicago, IL 60604

AUG 07 2014

LAND AND CHEMICALS DIVISION  
U.S. EPA - REGION 5



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. William Murphy / GM  
Fluorecycle, Inc.  
27780 W/. Concrete Drive, Suite A  
Ingleside, Illinois 60041

2. Article Number  
(Transfer from service label)

PS Form 3811, March 2001

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

- ☐
- Agent
- 
- ☐
- Addressee
- 
- ☐
- Yes
- 
- ☐
- No

- ☐
- Mail
- ☐
- Express Mail
- 
- ☐
- Registered Mail
- ☐
- Return Receipt for Merchandise
- 
- ☐
- Insured Mail
- ☐
- C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7009 1680 0000 7663 5615

Domestic Return Receipt

102595-01-M-1424

# LAND AND CHEMICALS DIVISION

Type of Document: Nov

Name of Document: Fluorecycle

	<u>NAMES</u>	<u>DATE</u>
AUTHOR:	Mr. Valentino	7-21-14

APA: Robert Anidze RA 7/23/14

SECTION CHIEF: [Signature] 7/22/14

BRANCH CHIEF: *Greg Victorini* *8/01/14*

DIVISION APA:

**DIVISION DIRECTOR:** \_\_\_\_\_

**OTHERS:** \_\_\_\_\_

**DRA:** \_\_\_\_\_

RA: \_\_\_\_\_

**RETURN TO:** \_\_\_\_\_

PHONE: \_\_\_\_\_

COMMENTS: State Notice sent 7/21/14

# LAND AND CHEMICALS DIVISION

Type of Document: \_\_\_\_\_

Name of Document: \_\_\_\_\_

NAMES

DATE

AUTHOR:

\_\_\_\_\_

\_\_\_\_\_

APA:

\_\_\_\_\_

\_\_\_\_\_

SECTION CHIEF:

\_\_\_\_\_

\_\_\_\_\_

BRANCH CHIEF:

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DIVISION APA:

\_\_\_\_\_

\_\_\_\_\_

DIVISION DIRECTOR:

\_\_\_\_\_

\_\_\_\_\_

OTHERS:

\_\_\_\_\_

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DRA:

\_\_\_\_\_

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RA:

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RETURN TO:

\_\_\_\_\_

PHONE:

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COMMENTS:

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

AUG 01 2014

**VIA CERTIFIED MAIL 7009 1680 0000 7663 5615**

**RETURN RECEIPT REQUESTED**

REPLY TO THE ATTENTION OF:

Mr. William Murphy  
General Manager  
Fluorecycle, Inc.  
27780 W. Concrete Drive, Suite A  
Ingleside, Illinois

Re: Notice of Violation  
Fluorecycle, Inc.  
EPA ID No.: ILR 000 049 833

Dear Mr. Murphy:

On September 5, 2013 a representative of the U.S. Environmental Protection Agency inspected the Fluorecycle, Inc. (hereinafter, "Fluorecycle") facility located at 27780 W. Concrete Drive, Suite A in Ingleside, Illinois. The purpose of the inspection was to evaluate Fluorecycle's compliance with its RCRA Part B hazardous waste storage permit (RCRA Log No. B-168R), ("permit"), issued by the Illinois Environmental Protection Agency. We have enclosed a copy of our inspection report for your reference.

Based on information provided by Fluorecycle, review of records, and personal observations made by the inspector at the time of the inspection, EPA has determined that Fluorecycle is in violation of its permit.

1. At the time of the September 5, 2013 inspection, the EPA inspector observed and photographed several cylindrical cardboard containers, several one-cubic yard cardboard containers and one 55-gallon steel drum, each holding universal waste (fluorescent lamps and high intensity discharge bulbs) and each open. (Rf. Photos 2 and 3 of the enclosed inspection report.)

Under subsection III.F., "Management of Containers," of the permit, "[a] container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste." The open containers observed and photographed on the day of the inspection were therefore a violation of the above-referenced permit condition.

Under Section 3008(a) of RCRA, 42 U.S.C. § 6928(a), EPA may issue an order assessing a civil penalty for any past or current violation and requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter

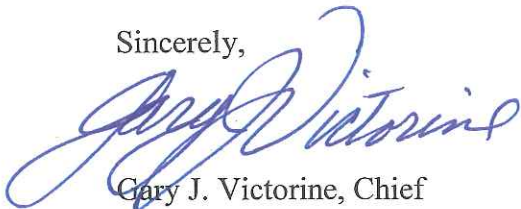


documenting the actions, if any, which have been taken since the inspection to establish compliance with the above permit condition.

You should submit your response to Michael Valentino, EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

If you have any questions regarding this letter, please contact Mr. Valentino, of my staff, at (312) 886-4582.

Sincerely,



Gary J. Victorine, Chief  
RCRA Branch

Enclosure

cc: Todd Marvel, Illinois Environmental Protection Agency (w/ enclosure)  
([todd.marvel@Illinois.gov](mailto:todd.marvel@Illinois.gov))



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 W. JACKSON BOULEVARD  
CHICAGO, IL 60604

COMPLIANCE EVALUATION INSPECTION REPORT

MEMORANDUM TO FILE

INSTALLATION NAME: Fluorecycle, Inc.  
U.S. EPA ID No.: ILR 000 049 833  
LOCATION ADDRESS: 27780 W. Concrete Drive, Unit A  
Ingleside, IL 60041  
NAICS CODES: 56292 (Materials recovery facilities)  
DATE OF INSPECTION: September 5, 2013  
EPA INSPECTOR: Michael Valentino

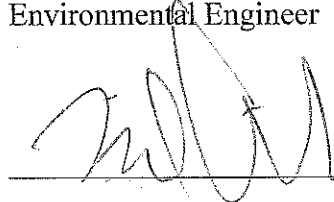
PREPARED BY:



Michael Valentino,  
Environmental Engineer

18 July 2014  
Date

REVIEWED BY:



Michael Cunningham, Chief  
Compliance Section 1  
RCRA Branch

7/21/14  
Date

### **Purpose of Inspection:**

The purpose of the inspection was to perform an unannounced compliance evaluation inspection (CEI) at Fluorecycle, Inc. (Fluorecycle), a permitted storage facility and large quantity generator of hazardous waste, to determine its compliance with the Resource Conservation and Recovery Act (RCRA), specifically the Standards Applicable to Generators of Hazardous Waste, Standards for Land Disposal Restrictions, and Management of Used Oil set forth at 35 Illinois Administrative Code (IAC), Title 35: Environmental Protection, Subtitle G: Waste Disposal, Chapter I: Pollution Control Board, and Title 40 of Code of Federal Regulations (40 CFR) Parts 262 to 265, 268 and 279, respectively, and with its RCRA hazardous waste permit (see below, under "Installation Description").

### **Participants:**

William (Bill) Murphy, General Manager (815-363-4411) and Tim Murphy, Plant Manager, represented Fluorecycle. Michael Valentino represented U.S. EPA Region 5, Land and Chemicals Division, RCRA Branch.

### **Installation Description:**

Fluorecycle recovers mercury from used fluorescent bulbs and lamps. Fluorecycle was issued a RCRA Part B Permit by the Illinois Environmental Protection Agency (IEPA) for hazardous waste storage of mercury-containing high intensity discharge (HID) and fluorescent light bulbs. Fluorecycle is prohibited from receiving or storing any waste other than mercury-containing lamps.

Fluorecycle's IEPA waste management permit number is RCRA Log No. B-168R and its IEPA site ID number is 0974455001. The IEPA reissued Fluorecycle's Part B permit on September 6, 2012. Its effective date was October 11, 2012, and its expiration date is October 11, 2022.

Fluorecycle also is permitted by the IEPA as a transfer station (Permit No. 2011-494-DE/OP). In this capacity Fluorecycle's waste is limited to lamp ballasts, discarded electronics, batteries and small transformers for re-packaging and transport off-site.

Fluorecycle is also a large quantity generator of hazardous waste (mercury powder, D009, is the sole waste stream generated at and shipped from this installation). Fluorecycle initially notified (EPA Form 8700-12) as a conditionally exempt small quantity generator on March 13, 1998. With waste shipments exceeding 1000 kilograms per month (see manifest summary below), Fluorecycle was operating as a large quantity generator at the time of the inspection.

Fluorecycle is located in an industrial-rural-residential area, approximately one-fourth mile west of Illinois Rt. 12/59 and three-fourths mile north of Illinois Rt. 120. The

nearest residences are located in a subdivision less than one-fourth mile west and southwest of Fluorecycle.

Fluorecycle occupies a total of 4800 square feet within a single story corrugated steel and masonry building which was formerly an addition to the adjacent building occupied by Mueller Door Company (formerly occupied by Paramount Electric Supply, Inc.). The permitted storage area occupies 900 square feet and is located in the bulb storage and processing area just north of the office area which is housed in an adjoining building of similar construction.

Fluorecycle operates an in-house fluorescent bulb crusher and a mercury retort manufactured by MRT (Mercury Recovery Technology) System Intl. MRT is a globally recognized manufacturer of fluorescent bulb recovery equipment and mercury retorts (for the recovery of elemental mercury). In the bulb crusher, metal end caps, glass and phosphor powder are segregated. Fluorecycle employees hand feed fluorescent bulbs into the bulb crusher. The phosphor powder is collected in drums for further processing in the batch distiller (or retort). Within the retort, elemental mercury in powdered form must be heated to over 357°C (675°F) for volatilization to occur. Afterward, the vaporized mercury is condensed into high grade liquid mercury.

The bulb crusher and separator is an enclosed unit spanning approximately 20 feet in width. It is located in the west-central area of the building. The mercury distiller is located in the southwestern corner of the building. The permitted RCRA storage area is located north of the office area, which is housed in an adjoining building, in the east-central area of the building.

Leonard Worth is Fluorecycle's president and operator. Peter Miller is Fluorecycle's owner.

Fluorecycle employs 15 at this location. The facility operates sixteen hours per day over two shifts (6:00 am to 10:00 pm), Monday through Friday. Fluorecycle has been at its current location on Concrete Drive in Ingleside, Illinois since 1997.

#### **Opening Conference:**

I arrived at the facility at 12:00 pm CDT on September 5, 2013. I entered through the front door and immediately came into an open office area. I displayed my credentials and announced my inspection to William Murphy, Fluorecycle's general manager, who was sitting at one of the four desks in the area. Mr. Murphy asked how he could help and I asked him if there was a place I could sit and where I could review documents. He pointed me to a desk several feet from his which was unoccupied. I provided him with a general overview of my inspection and then told him what documents I would need to review.

Mr. Murphy provided me with a brief overview of Fluorecycle's operations. Fluorecycle recovers mercury from spent lamps and grinds the glass for use as sand blast material (*rf*).

Photos 4-5 below). Fluorecycle recovers the glass under IEPA Beneficial Use Determination (BUD) Permit Log No. BUD09-003, which will expire on March 2, 2015. The BUD Permit was issued by IEPA letter dated April 14, 2010, sent to Gary J. Deigen of Deigen & Associates, LLC, who serves as a consultant to Fluorecycle.

#### Records Review:

I asked Mr. Murphy for a copy of Fluorecycle's Part B permit. I reviewed Permit Condition K., Financial Assurance." Section K.1 discusses closure of the container storage area (*rf.* Photos 2-3, below). Pursuant to 35 Ill. Admin. Code Part 724 Subpart H, Fluorecycle is required to have a written current estimate of the cost necessary to pay a third party to close the facility at the end of its active life. The permit includes a closure cost estimate of \$40,300 based on 2011 dollars.

Financial assurance is maintained via an irrevocable standby letter of credit (No. HACH1152720S), held with BMO Harris Bank N.A., in the amount of \$41,146, as of November 2012.

Section K.2 of the permit includes documentation of liability coverage for sudden accidental occurrences in the amount of \$1 million per occurrence and \$2 million annual aggregate pursuant to 35 Ill. Admin. Code §§ 724.247 and 724.251.

I asked Mr. Murphy for hazardous waste shipping manifests for calendar years 2011 through 2013. Mr. Murphy said that Fluorecycle began shipping powdered mercury off-site in 2013.

Off-site shipments for 2013 at the time of the inspection are summarized in the following manifests:

MANIFEST NUMBER	WASTE DESCRIPTION/WASTE CODE	AMOUNT SHIPPED	DATE SHIPPED/SIGNED BY	RECEIVING FACILITY
010965526JJK	Hazardous waste solid (mercury), n.o.s. 9, PGIII (D009)	16 drums (10,754 lb)	1/8/13 (William Murphy)	Lighting Resources, LLC Greenwood, Indiana IN0000351387
010965770JJK	Hazardous waste solid (mercury), n.o.s. 9, PGIII (D009)	20 drums (6620 kg)	3/28/13 (William Murphy)	Lighting Resources, LLC Greenwood, Indiana IN0000351387
010965983JJK	Hazardous waste solid (mercury), n.o.s. 9, PGIII (D009)	17 drums (10,788 lb)	6/10/13 (William Murphy)	Lighting Resources, LLC Greenwood, Indiana IN0000351387
010966623JJK	Hazardous waste solid (mercury), n.o.s. 9, PGIII (D009)	16 drums (9000 lb)	7/29/13 (Connor Jordan)	Lighting Resources, LLC Greenwood, Indiana IN0000351387

I found the manifests to be in good order. Fluorecycle receives the signed facility copy of the manifest within 35 days.

Mr. Murphy told me that his son, Tim Murphy, was Fluorecycle's plant manager and that the younger Murphy would lead me on the site walk-through. Because the younger Murphy was leaving at 2:00 pm, I broke from the records review to complete the walk-through portion of the inspection. At this time, Mr. Murphy introduced me to his son. I donned my safety glasses and proceeded to follow the younger Murphy through a door in the northwest corner of the office which led into the processing and storage area of the facility.

#### **Facility Inspection and Observations:**

Mr. Murphy and I began the site walk-through at approximately 1:10 pm. During the course of the walk-through, I took five (5) photographs on a Nikon Coolpix® P4 digital camera with 8.1 megapixel resolution between 1:12 pm and 1:31 pm CDT on September 5, 2013. These photos are found below in the body of this report. Descriptions are provided beneath each photo. They are true and representative of the conditions I observed at the installation on the date of the CEI.

We began the walk-through in the southwest corner of the treatment/storage area where the mercury retort (Photo 1) is kept. Mr. Murphy told me that the retort was designed by a Swedish firm<sup>1</sup> and that he spent time overseas learning the system from engineers in Sweden.

The permitted storage area is located to the northeast of the mercury retort. It encompasses 900 square feet (roughly 30 ft wide by 30 ft long) and includes four rows of drums and cardboard containers of lamps and HID bulbs of various sizes (*rf.* Photos 2-3, below). I observed issues with aisle space (*i.e.*, accessing the two interior rows). The permit requires 30 inches of aisle space. I did not observe any broken bulbs or lamps, damage containers or evidence of lamp or bulb breakage on the floor or on the pallets upon which the containers rested. I observed open cylindrical cardboard containers which held 4-ft and 8-ft fluorescent lights, several one-cubic yard cardboard containers holding HID bulbs and one 55-gallon steel drum with an open lid (*rf.* Photos 2-3, below).

The lamp and bulb crusher – a fully enclosed structure about 20 feet in length – is situated in the center of the processing area. Workers manually feed the bulbs and lamps into the machine. Glass and metal caps are later segregated. Mercury is later recovered in the retort.

---

<sup>1</sup> MRT (Mercury Recovery Technology) System Intl., Karlskrona, Sweden.





Photo 1 Taken by: Michael Valentino	Fluorecycle, Inc.
9/5/13 . 1:12 pm	MRT Mercury Retort.
Orientation: West	



Photo 2 Taken by: Michael Valentino	Fluorecycle, Inc.
9/5/13 1:17 pm	Universal waste permitted storage area (900 square foot section inside of black-yellow tape). Containers holding HID bulbs and 8-ft fluorescent bulbs within the storage area are open.
Orientation: Northeast	



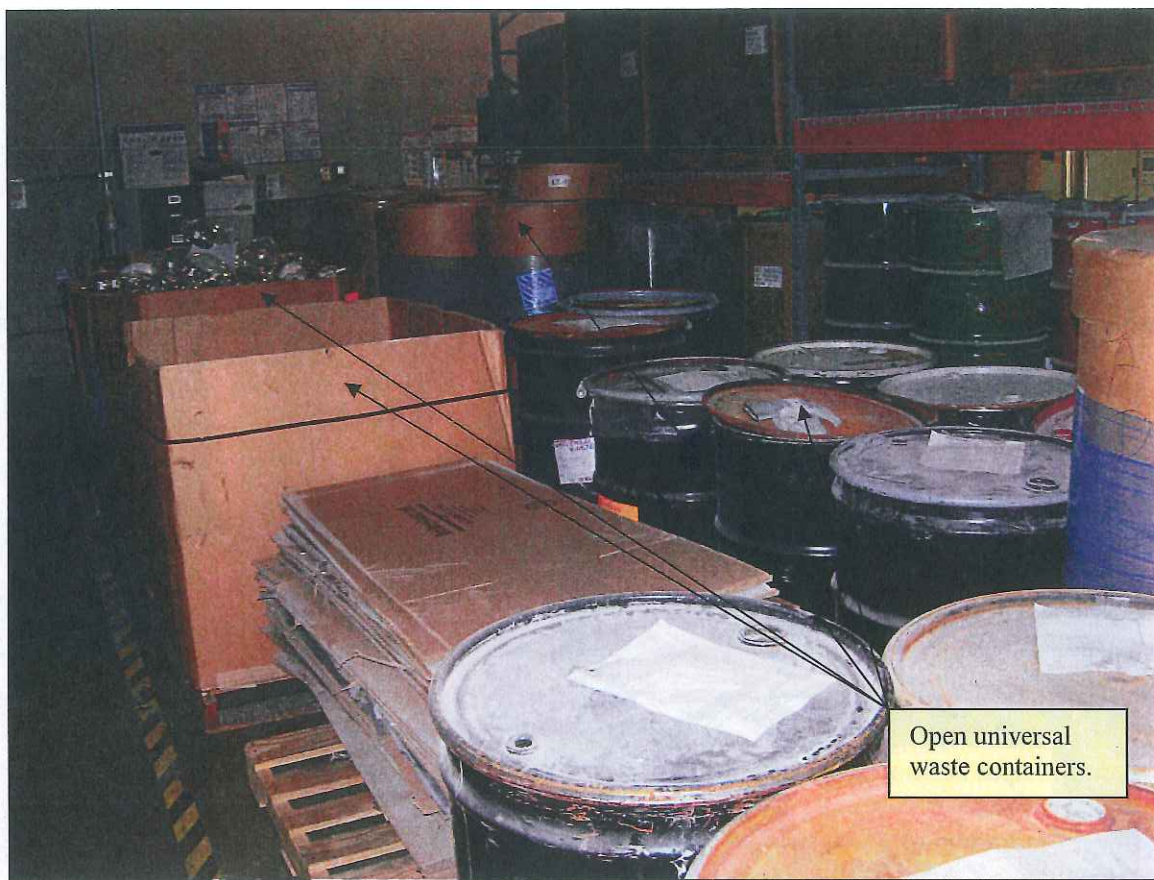


Photo 3	Taken by: Michael Valentino	Fluorecycle, Inc.
9/5/13	1:21 pm	Universal waste permitted storage area (900 square foot section inside of black-yellow tape).
Orientation:	Southwest	

We proceeded to the north end of the building. Here lamps and bulbs are shredded and ground and then transferred to one-cubic yard fabric totes (*rf.* Photos 4-5). The glass recovery machine was approved by the IEPA under the above-mentioned BUD permit. According to Mr. Murphy, ground glass once designated to be sent to a landfill is now being used for shot blast material.

According to Mr. Murphy, each fabric tote contains approximately 3000 pounds of glass. At the time of the inspection, there were six (6) full fabric totes (*rf.* Photo 5) – or roughly 18,000 pounds – of glass ready to be sent for off-site reuse.



Photo 4 Taken by: Michael Valentino	Fluorecycle, Inc.
9/5/13 1:31 pm	Glass recovery machine conveyor system and
Orientation: Southwest	collection hopper.





Photo 5 Taken by: Michael Valentino	Fluorecycle, Inc.
9/5/13 1:31 pm	Glass recovery machine one cubic yard fabric bags
Orientation: West-Southwest	(approx. wt. 3000 lb each) of glass to be used for shot blast.

We returned to the office area where I began the records review at approximately 1:45 pm.

#### **Records Review (Conclusion):**

I asked the elder Murphy for a copy of the facility's contingency plan. I reviewed the contingency plan, revision no. 3, dated April 15, 2009. In the plan, Tim Murphy is the primary emergency coordinator and Bill Murphy is the secondary (alternate) emergency coordinator. Section I. of the permit establishes conditions under which the contingency plan shall be implemented (*rf.* permit conditions I.1.a. – I.1.d.).

As required under the permit, at Section H., Fluorecycle is required to monitor indoor air for mercury vapor three times per eight-hour shift when the installation is operating. Fluorecycle also conducts daily start of shift inspections. These include inspections of the storage area, checking for leaking batteries or ballasts, bulb inventory to insure permit limits are not exceeded, proper aisle spacing and presence of unauthorized potentially hazardous substances, and condition of packaging in the RCRA storage area. The

inspection log does not include observation of open containers within the RCRA storage area.

I asked Mr. Murphy for training records. He provided me with annual certifications of 8-hour HAZWOPER refresher training for both himself and his son. No plant workers or office workers receive hazardous waste training other than Messrs. Murphy.

Before leaving, I presented Mr. Murphy with copies of the Region 5 Pollution Prevention (P2) contact information and State Agency P2 contact information fact sheet and the Illinois Waste Management and Research Center (WMRC) brochure entitled, "SUSTAINABLE SOLUTIONS – A COOPERATIVE PROGRAM FOR ILLINOIS INDUSTRY."

I left the site at approximately 2:30 pm.

USEPA



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/524-3300

September 6, 2012

CERTIFIED MAIL

7009 3410 0002 3749 6496

7009 3410 0002 3749 6502

OPERATOR

Mr. Lenny Worth  
Fluorecycle, Inc.  
27780 W. Concrete Drive  
Ingleside, Illinois 60041

OWNER

Mr. Peter Miller  
27750-80 W. Concrete Drive, LLC  
27780 W. Concrete Drive.  
Ingleside, Illinois 60041

Re: 0974455001 -- Lake County  
Fluorecycle, Inc.  
ILR000049833  
RCRA Log 168R  
RCRA Permit Administrative Record File  
Permit Approval

Gentlemen:

Illinois EPA has completed its review of the application to renew the subject facility's RCRA permit and in accordance with 35 Ill. Admin. Code 705.141, is hereby providing a final RCRA renewal permit. This final renewal permit is based on the administrative record (which includes the renewal application) in Illinois EPA's files developed in accordance with 35 Ill. Admin. Code 705.144.

The applicant may appeal this final decision to the Illinois Pollution Control Board pursuant to Section 40 of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the applicant and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the request for an extension, please contact:

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276  
217/782-5544

For information regarding the filing of an appeal, please contact:

4302 N. Main St., Rockford, IL 61103 (815)987-7760  
595 S. State, Elgin, IL 60123 (847)608-3131  
2125 S. First St., Champaign, IL 61820 (217)278-5800  
2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000  
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462  
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200  
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

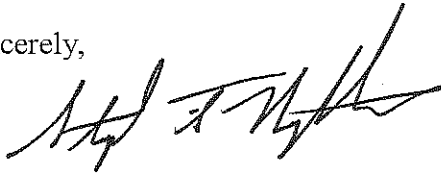
Fluorecycle: B-168R  
Fact Sheet  
Page 2

Illinois Pollution Control Board, Clerk  
State of Illinois Center  
100 West Randolph, Suite 11-500  
Chicago, IL 60601  
312/814-3620

A copy of the Agency's response to comments on the draft permit is attached. Also attached is the current RCRA Facility Mailing List Illinois EPA prepared for Fluorecycle's permit renewal process. Please update this list prior to using it for future mailings. You may contact Ms. Mara McGinnis, Office of Community Relations ([Mara.McGinnis@illinois.gov](mailto:Mara.McGinnis@illinois.gov) or 217/524-3288), for current listings of state agencies and departments to assist you with your mailing list updates.

If you have any questions concerning this draft permit, please contact Mark L. Crites at 217/524-3269.

Sincerely,



Stephen F. Nightingale, P.E.  
Manager, Permit Section  
Bureau of Land

SFN:MLC:0974455001-RCRA-B168R-final2.docx

Attachments: Response to Comments  
RCRA Facility Mailing List  
Hazardous Waste Management Permit

cc: USEPA Region V  
Gary Deigan, Deigan & Associates



Response to Comments  
Fluorecycle Inc  
Log B-168R

Cover Letter

Comment: Delete "Unit A" from Operator Address.

Response: The Operator address has been corrected.

Fact Sheet

Fluorecycle made three comments regarding the Fact sheet. These comments are noted, but the fact sheet is simply intended to be a quick reference for those members of the public who are interested in the draft permit, and is not a part of the final permit. It is not an enforceable document, and will not be revised or reissued since the comment period is over.

Section I

Comment 1: Delete "Unit A" from facility address in Condition I.C.1.

Response 1: The facility address has been corrected.

Comment 2: Change "Paramount Electric Supply Building" to "Mueller Door Company building" in Condition I.C.1.

Response 2: This change has been made as suggested.

Section III

Comment 1: Change "container" to "container or pallet" in Condition III.D.4.

Response 1: This change has been made as suggested.

Comment 2: Delete Condition III.D.5.

Response 2: The draft permit did not contain a Condition III.D.5, but a review of the redlined version of the permit provided by Gary Deigan indicates that the actual condition in question is Condition III.F.5. The former Condition III.F.5 has been deleted as requested. Note that the intent of this condition was originally to prevent long-term clutter of containers on the floor to ensure that proper aisle space was maintained for inspection and



emergency purposes. Remember that Title 35 Ill. Adm. Code 724.135 discusses required aisle space, and is still applicable to this facility.

Comment 3: Insert "or western overhead door entrance for vehicles that cannot safely access the elevated loading dock". To Condition III.D.6

Response 3: As with Comment 2, the correct condition reference is III.F.6. The proposed changes have been made. Since Condition III.F.5 of the draft permit was deleted as indicated under Response 2, this is now Condition III.F.5.

Comment 4: Change "Lot F to "Lot 17, except the westerly 75 feet thereof" in Condition III.G.4.

Response 4: The requested change has been made to the final permit.

Comment 5: Change Condition III.H.3 to make it consistent with the mercury monitoring plan contained in the renewal application.

Response 5: Condition III.H.3 has been changed as requested.

**RCRA Facility Mailing List  
Fluorecycle, Inc.  
Log No. B-168R**

The Honorable Dan Duffy  
Illinois State Senator, 26<sup>th</sup> Dist.  
330 E. Main St., Suite 301  
Barrington, IL 60010

The Honorable Kent Gaffney  
Illinois State Representative, 52<sup>nd</sup> Dist.  
124-A East Liberty Street  
Wauconda, IL 60084

The Honorable Joe Walsh  
US Representative, 8<sup>th</sup> Dist.  
432 Cannon House Office Bldg  
Washington, DC 20515

The Honorable Richard J. Durbin  
US Senator  
230 S. Dearborn St., Ste. 3892  
Chicago, IL 60604

The Honorable Mark Kirk  
US Senator  
230 S Dearborn St., Ste. 3900  
Chicago, IL 60604

Public Health Administrator  
Lake County Health Department  
3010 Grand Ave.  
Waukegan, IL 60085

Bonnie Sikora, Village Clerk  
Village of Lakemoor  
234 W. Rand Rd.  
Lakemoor, IL 60051

The Honorable Ryan "Todd" Weihofen  
Village President  
Lakemoor Village Hall  
234 W. Rand Road  
Lakemoor, IL 60051

David C. Alarcon, Village Administrator  
Village of Lakemoor  
234 W. Rand Rd.  
Lakemoor, IL 60051

Michael J. Waller  
Lake County State's Attorney  
18 N County Street, 4<sup>th</sup> Floor  
Waukegan, IL 60085

David B. Stolman  
Lake County Board Chairman  
18 N County Street, 10<sup>th</sup> Floor  
Waukegan, IL 60085

Ms. Willard R. Helander, Co. Clerk  
Lake County Offices  
18 N County Street  
Waukegan, IL 60085

Grant Township Supervisor  
26725 West Molidor Rd.  
Ingleside, IL 60041

Site Superintendent  
Volo Bog State Natural Area  
28478 W. Brandenburg Road  
Ingleside, IL 60041

Chief, RCRA Branch, 8th Floor  
Land and Chemicals Division  
U.S. EPA - Region V  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Judith T. Rutishauser, Village Clerk  
Village of Volo  
500 S Fish Lake Road  
Volo, IL 60073

Village President  
Village of Volo  
500 S Fish Lake Road  
Volo, IL 60073

Illinois Office of Attorney General  
Environmental Law Division  
500 South 2nd Street  
Springfield, Illinois 62706

Ginger Irwin, Village Clerk  
Village of Wauconda  
101 N Main Street  
Wauconda, IL 60084

The Honorable Mark Knigge, Mayor  
Village of Wauconda  
101 N Main Street  
Wauconda, IL 60084

Office of Illinois Attorney General  
Environmental Bureau North  
69 West Washington St., Ste 1800  
Chicago, IL 60602

Joyce Swieton, Village Clerk  
Village of Round Lake  
442 N Cedar Lake Road  
Round Lake, IL 60073

The Honorable Jim Dietz, Mayor  
Village of Round Lake  
442 N Cedar Lake Road  
Round Lake, IL 60073

Ill. Historic Preservation Agency  
Preservation Svcs./Archeology Sect.  
1 Old State Capitol Plaza  
Springfield, Illinois 62701-1512

Jen Gomez, Village Clerk  
Village of Island Lake  
3720 Greenleaf Ave.  
Island Lake, IL 60042

The Honorable Debbie Herrmann, Mayor  
Village of Island Lake  
3720 Greenleaf Avenue  
Island Lake, IL 60042

U.S. Army Corps of Engineers  
111 N. Canal St.  
Chicago, Illinois 60606

Office of Public Affairs  
U.S. EPA - Region V  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Illinois Dept. of Natural Resources  
Resource Management  
One Natural Resources Way  
Springfield, IL 62702-1271

IL Dept. of Natural Resources  
Div. of Natural Resource Review &  
Coordination  
One Natural Resources Way  
Springfield, IL 62702-1271

Illinois Dept. of Natural Resources  
Office of Water Resource Management  
One Natural Resources Way  
Springfield, IL 62702-1271

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Bureau of Environmental Programs  
Illinois Dept. of Transportation  
P.O. Box 19281  
Springfield, Illinois 62794-9281

John Lohse  
Illinois Dept. of Agriculture  
Division of Natural Resources  
State Fairgrounds, P O Box 19281  
Springfield, Illinois 62794

Warren Ribley, Director  
Illinois Department of Commerce  
and Economic Opportunity  
620 East Adams Street  
Springfield, Illinois 62701

Illinois State Chamber of Commerce  
215 East Adams Street  
Springfield, Illinois 62701

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Waste Management Research Center  
1 East Hazelwood Drive  
Champaign, Illinois 61820

Director  
Ill. State Natural History Survey  
607 East Peabody  
Champaign, Illinois 61820

Director  
Illinois State Geological Survey  
615 East Peabody  
Champaign, Illinois 61820

Director  
Illinois State Water Survey  
2204 Griffith Drive  
Champaign, Illinois 61820

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IEPA Des Plaines Regional Office  
9511 Harrison St.  
Des Plaines, IL 60016

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1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, IL 62794-9276

Mara McGinnis, #5  
Illinois EPA  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, IL 62794-9276

IDPH West Chicago Regional Office  
245 W. Roosevelt Rd.  
West Chicago, IL 60185

IL League of Women Voters  
332 South Michigan Avenue, #1050  
Chicago, Illinois 60604-4301

Operations Mgr.  
Envirite Corporation  
16435 South Center Avenue  
Harvey, Illinois 60426

Kurt Erickson  
Statehouse Press Rm., West Mezzanine  
401 S. 2<sup>nd</sup> St.  
Springfield, Illinois 62706

Midwest Center for Environmental  
Science & Public Policy  
5005 N. Palisades Rd.  
Whitefish Bay, WI 53217-5756

Jack Darin, Sierra Club  
70 E. Lake St., Ste. 1500  
Chicago, IL 60601-7447

Chicago Greens (ATTN: Lionel Trepanier)  
PO Box 408316  
Chicago, IL 60640

Tita LaGrimas, Dir. Reg. Affairs  
Pollution Control Industries  
4343 Kennedy Ave.  
East Chicago, IN 46312

Sierra Club Prairie Group  
PO Box 131  
Urbana, IL 61803

Cherie Wright, Director  
River East Public Library  
13 West Route 120  
McHenry, IL 60051

Bill Schade, Operations Manager  
Safety-Kleen Dolton Recycle Center  
633 E. 138<sup>th</sup> St.  
Dolton, IL 60419

Angela Tin, Dir., Env'l Programs  
American Lung Association of Illinois  
3000 Kelly Lane  
Springfield, Illinois 62711

Greg R. Michaud, Env'l Services Mgr.  
Johnson, Depp & Quisenberry  
6450 S. 6th St. Rd., Suite B  
Springfield, IL 62712-6875

Mr. Lenny Worth  
Fluorecycle, Inc.  
27780 W. Concrete Drive, Unit A  
Ingleside, Illinois 60041

Irene T. Pierce, M.S.N  
Lake County Health Department  
3010 Grand Ave.  
Waukegan, IL 60085

Daily Herald  
1795 N. Butterfield Road, Suite 100  
Libertyville, IL 60048-1212

Lake County Journal  
1100 Washington St., Suite 101  
Grayslake, IL 60030

Daily Herald  
P.O. Box 280  
Arlington Heights, IL 60006-0280

Earl Johnson  
Illinois Citizen Action  
P.O. Box 4  
Libertyville, IL 60048

Susan Zingle  
14880 Yorkhouse Rd.  
Wadsworth, IL 60083

Verena Owen  
3115 Enoch Ave.  
Zion, IL 60099

Paul & Chris Geiselhart, CLEAR  
1408 Bull Creek Dr.  
Libertyville, IL 60048



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

## RCRA HAZARDOUS WASTE MANAGEMENT PERMIT

IEPA # 0974455001 -- Lake County  
USEPA # ILR000049833  
Fluorecycle, Inc.  
Permit Log No. B-168R  
RCRA Permit Administrative Record File

Issue Date: September 6, 2012  
Effective Date: October 11, 2012  
Expiration Date: October 11, 2022

### OPERATOR

Fluorecycle, Inc.  
27780 W. Concrete Drive  
Ingleside, Illinois 60041

### OWNER

27750-80 W. Concrete Drive, LLC  
27780 W. Concrete Drive.  
Ingleside, Illinois 60041

A RCRA renewal permit is hereby granted to 27750-80 W. Concrete Drive, LLC as Owner, and Fluorecycle, Inc. as Operator and Permittee for the above-referenced facility pursuant Section 39(d) of the Illinois Environmental Protection Act and Title 35 Illinois Administrative Code Subtitle G (35 Ill. Adm. Code).

This permit requires Fluorecycle to operate a hazardous waste container storage area at the facility in accordance with the regulations, the approved permit application, and the conditions in this permit. Mercury containing lamps are received at this facility, stored in the permitted container storage area, and then recycled in accordance with 35 Ill. Adm. Code 721.106. Fluorecycle is located at 27780 W. Concrete Drive in Ingleside, Illinois.

This permit consists of the conditions contained herein and those in the sections and attachments in this permit. The Permittee must comply with all terms and conditions of this permit and the applicable regulations contained in 35 Ill. Adm. Code Parts 702, 703, 705 and 720 through 729 in effect on the effective date of this permit.

This permit is issued based on the information submitted in the approved permit application identified in Section II of this permit and any subsequent amendments. Any inaccuracies found in the information provided in the permit application may be grounds for the termination or modification of this permit (see 35 Ill. Adm. Code 702.187 and 702.186) and potential enforcement action (415 ILCS 5/44(h)).

Stephen F. Nightingale, P.E.  
Manager, Permit Section  
Bureau of Land

SFN:MLC:0974455001-RCRA-B168R-final2.docx

MLC JLM



**RCRA Hazardous Waste Management Permit**  
**Fluorecycle**  
**0974455001 -- Lake County**  
**ILR000049833**  
**Log No. B-168R**

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<b><u>ATTACHMENTS</u></b>	<b><u>PAGES</u></b>
Attachment A - Closure Certification Form	1

## **SECTION I – GENERAL FACILITY DESCRIPTION**

### **I.A. OWNER**

The facility owner is 27750-80 W. Concrete Drive, LLC, herein referred to as the “owner”. [35 IAC 702.123 & 703.181]

27750-80 W. Concrete Drive, LLC  
27780 W. Concrete Drive  
Ingleside, Illinois 60041

### **I.B. OPERATOR**

The facility operator is the Fluorecycle, Inc., herein referred to as the “Permittee.” [35 IAC 702.121, 702.123 & 703.181]

### **I.C. FACILITY LOCATION AND LAYOUT**

#### **I.C.1 Facility Address**

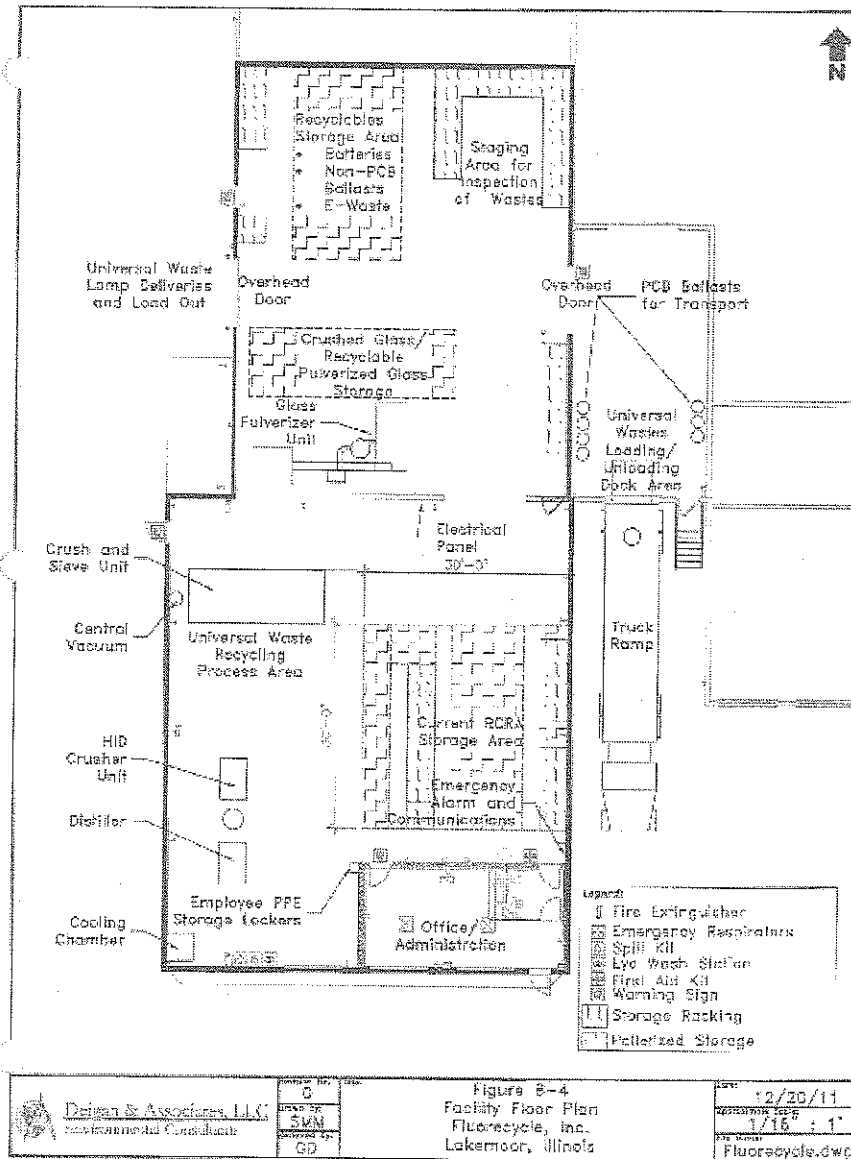
Fluorecycle, Inc.  
27780 W. Concrete Drive  
Ingleside, Illinois 60041

The facility is located in a 7,100 square foot addition to the Mueller Door Company building in Lakemoor, Illinois. The legal description for the permitted facility is Lot 17 (except the westerly 75 feet thereof) in Fischer’s Industrial Park; being a subdivision of the Northwest Quarter and the Southwest Quarter of Section 34, Township 45 North, Range 9, East of the Third Principal Meridian, according to the plat thereof recorded March 13, 1989 as Document 2772521, in Lake County, Illinois.

#### **I.C.2 Facility Layout Maps**

Figure 1 of this permit is the site plan for the facility. It includes the location of the hazardous waste container storage area, and the location of the common dock area where shipments of wastes will be off-loaded from the trucks used to transport them to the facility. The permittee is prohibited from conducting waste management activities in areas that are not specifically identified in the approved permit application or this permit.

Figure 1:



**I.D. DESCRIPTION OF HAZARDOUS WASTE MANAGEMENT ACTIVITIES**

Fluorecycle processes used fluorescent and high intensity discharge (HID) lamps (e.g. lamps) and reclaims / recovers the mercury, glass and metals in these wastes. The lamps are considered Universal Waste, and may be hazardous waste (D009) due to the mercury in them.

This RCRA Part B permit is for the storage of hazardous waste prior to the recycling process. The facility can receive mercury containing lamps from a wide variety of generators. Fluorecycle receives lamps that are whole and unbroken as well as those that are crushed.

## SECTION II – APPROVED PERMIT APPLICATION

### II.A. APPROVED PERMIT APPLICATION

This permit is based on the information in the approved permit application. The approved permit application consists of the following document(s):

<u>Document</u>	<u>Date</u>	<u>Date Received</u>
RCRA Permit Application	December 21, 2011	December 22, 2011



## Section III - CONTAINERS

### A. SUMMARY

All wastes received from off-site generators must be held in one of the containers specified in Section D1.1.1 of the approved permit application. All containers must be DOT-approved for the materials that they contain. Both new and used containers can be received from off-site generators.

### B. WASTE IDENTIFICATION

1. The permittee is prohibited from receiving or storing wastes that are not mercury-containing lamps. "Mercury-containing lamp" means an electric lamp into which mercury is purposely introduced by the manufacturer for the operation of the lamp. Mercury-containing lamps include, but are not limited to, fluorescent lamps and high-intensity discharge lamps (e.g. lamps).
2. The permittee shall not receive or store wastes that contain free liquids at the Fluorecycle facility.
3. The Permittee shall not receive or store ignitable or reactive waste at the Fluorecycle facility.
4. The Permittee shall not receive or store incompatible wastes, or incompatible wastes and materials, at the Fluorecycle facility.

### C. CONTAINER STORAGE AREA

1. The maximum volume of containerized waste that can be placed/stored in the container storage area at any one time shall not exceed (1) 5,772.5 cubic feet, or (2) 5,452.5 cubic feet of uncrushed lamps with sixteen (16) 55-gallon drums of crushed lamps. The permitted storage volume is further defined below :

#### a. Western Storage Racks:

[All boxes] 2 racks x 3 pallets per shelf x 3 high x 80 ft<sup>3</sup> per pallet = 1,440 cf.

or

[4 pallets of 55-gal. drums] 14 pallets x 80 ft<sup>3</sup> per pallet = 1,120 cf. (plus a maximum of 16 55-gal. drums of crushed lamps.)

b. Eastern Storage Racks along wall:

2 racks x 3 pallets per shelf x 3 high x 80 ft<sup>3</sup> per pallet = 1,440 cf.

c. Floor Storage

Western Row (8' lamps): 5' x 30' x 6.5' = 975 cf  
Eastern Rows: 2 (4' x 30' x 6.5') = 1,560 cf  
Area north of Western Storage Rack: 6' x 5' x 6.5' = 195 cf  
Area between Eastern Storage Racks: 3' x 5' x 6.5' = 97.5 cf  
Area north of Eastern Storage Rack: 2' x 5' x 6.5' = 65 cf

**D. CONDITION OF CONTAINERS**

1. If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee must transfer the hazardous waste from this container to a container that is in good condition or manage the waste in accordance with the Approved Permit Application.
2. Any transfer of waste that is required to comply with Condition D.1 must be recorded in the facility's operating record.
3. Packaging of all wastes accepted for storage in the container storage area shall meet the requirements of 49 CFR 172, 178 and 179 and all applicable D.O.T. and Universal Waste regulations at 35 IAC 733. All container must be marked and placarded in accordance with 49 CFR 172 or 35 IAC 733.
4. The contents of each container or pallet shall be clearly identified on the top or side of the container or pallet in accordance with 49 CFR 172 prior to being placed in the container storage area.

**E. COMPATIBILITY OF WASTE WITH CONTAINERS**

1. The Permittee must use a container made of or lined with material that will not react with, and is otherwise compatible with, the waste to be stored, so that the ability of the container to contain the waste is not impaired.

**F. MANAGEMENT OF CONTAINERS**

The Permittee shall comply with the following container management practices:

1. A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
2. A container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.
3. Containers and pallets of containers shall only be placed in the RCRA container storage area. Containers, or pallets of containers, shall not be stacked on top of each other.
4. Containers shall be stored in accordance with the storage arrangement identified on Figure 3 of this permit. Containers stored on the floor shall not be stacked more than 6.5 feet high.
5. Wastes shall only be received at the site in the common loading dock area (common area) or western overhead door entrance for vehicles that cannot safely access the elevated loading dock. Both of these areas are identified on Figure 1 of this permit. Wastes shall only be located in these areas long enough to unload the truck that was used to ship the wastes and perform the waste receipt inspection procedures described in Section C.2.5.2.2 of the approved permit application, but in no case shall wastes be located in these area for more than 8 hours. Storage of wastes in this area is prohibited.
6. All waste is considered to be "received" at the facility when it crosses the property line. The receiving process continues thru the unloading of the wastes at the common loading dock area where the incoming waste inspection procedures will take place and the facility determines whether to accept the waste.

**G. GENERAL OPERATING REQUIREMENTS**

1. The Permittee shall operate the container storage area in accordance with the Approved Permit Application, subject to the conditions of this permit.
2. All hazardous and non-hazardous special wastes generated by this facility which require further treatment or disposal off-site must be transported to the receiving facility in accordance with the applicable regulations in 35 IAC, Parts 709, 722, 723, 807 and 809, and the Agency's special waste hauling and manifests system.
3. The Permittee shall comply with the applicable Land Disposal Restrictions at 35 Il. Adm. Code Part 728 for all wastes (including components of the crushed lamps, glass, plastic, metal, phosphor powder) shipped off-site for further treatment, storage, or disposal in a landfill.
4. Changes to the permitted facility (the entire Lot 17, except the westerly 75 feet thereof) may constitute a cause for modification of the RCRA permit pursuant to 35 IAC 703 Subpart G.

Changes to the facility that do not involve waste management would be considered Class 1 modifications. The application for these types of Class 1 modifications must contain sufficient information to demonstrate that the hazardous waste management operations (including emergency response and means of egress) will not be impacted by the proposed modification.

## **H. INSPECTION**

1. The Permittee shall inspect the containers, container storage area, and emergency equipment in accordance with the inspection schedule in the Approved Permit Application and the conditions in this permit. All records of inspections at the facility shall be maintained in the facility operating record.
2. Inspection records required by Condition H.1 above must include the date and time of each inspection, the name of the inspector, notation of the observations made, and the nature and date of any repairs or remedial actions.
3. The permittee shall monitor the ambient air in the facility for mercury vapors three times pre each 8 hour work shift whenever the facility is in operation. The mercury readings shall be collected with a handheld mercury monitor at five locations representative of any air emissions from the RCRA container storage area and the processing area. The monitor shall be capable of collecting and reporting an instantaneous mercury vapor concentration. The Fluorecycle personnel conducting the monitoring shall activate the audible alarm system if the mercury vapor concentration exceeds the level identified in Condition I.1.d below.
4. The Permittee shall perform a complete annual inspection of the storage area floor's surface coating / concrete sealer. The Permittee shall perform maintenance on the surface coating / concrete sealer as necessary to insure the integrity of the coating.

## **I. CONTINGENCY PLAN**

1. In addition to the conditions listed in the application, the permittee shall implement the Contingency Plan any time:
  - a. Three hundred-sixty (360) or more lamps are accidentally broken in a single incident,
  - b. One-half ( $\frac{1}{2}$ ) or more of the contents of a 55 gallon drum of crushed lamps is spilled,
  - c. The ambient air mercury vapor concentration exceeds  $0.05 \text{ mg/m}^3$  based on an 10-hr time weighted average [TWA], or
  - d. The ambient air mercury vapor concentration exceeds  $0.1 \text{ mg/m}^3$  at any time (based on an instantaneous reading).

2. The Agency's Bureau of Land Regional Office in Des Plaines shall be notified verbally and in writing within 24 hours of implementing the contingency plan.
3. The Permittee shall have and properly maintain a half-face respirator with approved HEPA/mercury cartridges for each employee at Fluorecycle. The permittee shall also have and maintain two additional respirators with HEPA/mercury cartridges.

## **J. CLOSURE**

At closure, at a minimum, all hazardous waste and hazardous waste residues and constituents must be removed from the container storage area. Remaining wastes, liners, bases, soil and groundwater containing or contaminated with hazardous waste, hazardous waste residue or hazardous constituents must be decontaminated or removed. Closure of the container storage area shall be carried out in accordance with the closure plan in the approved permit application, as modified below:

1. The Permittee shall notify the Illinois EPA Bureau of Land Permit Section in writing of its intent to close the container storage area at least 180 days prior to the date closure is expected to begin. Along with this notification, the Permittee shall submit a sampling and analysis plan to be used in demonstrating the container storage area has been properly decontaminated. This plan must be approved by the Illinois EPA Bureau of Land Permit Section in writing prior to being implemented. Illinois EPA review of this plan will be subject to the permit appeal provisions contained in Sections 39(a) and 40(a) of the Illinois Environmental Protection Act. The response from the Illinois EPA will approve and establish:
  - a. The sampling and decontamination plan;
  - b. What contaminants must be analyzed for;
  - c. Analytical requirements (SW-846 Methods should be utilized);
  - d. The contaminant level at which decontamination or removal is considered complete.
2. The Permittee shall steam clean and triple rinse the storage racks and concrete floor of the container storage area identified in Condition I.C.2 of this permit. All sweepings, washwater and rinsate generated during the closure of the unit shall be managed as a hazardous waste, unless it can be shown to be exempt under 35 IAC Part 721. An independent, registered, professional engineer must certify that the surface has no cracks, gaps, or other defects which would allow waste to migrate through to the underlying soil or an approved sampling plan must be used to establish clean closure.



3. The Permittee shall provide post-closure care in accordance with 35 IAC Part 724 for the container storage area if all of the hazardous wastes or contaminated material or media cannot be practicably removed or decontaminated in accordance with the closure requirements outlined in the permit and in the approved closure plan. If it is determined that the closure requirements cannot be met and post-closure care is required, this Permit must be modified to require post-closure care in accordance with 35 IAC, Subtitle G, Part 724, Subparts G and H.
4. Should post-closure care, as described above, become necessary, the Permittee shall submit an application for modification to this permit, including an amended closure and post-closure care plan for this unit, within thirty (30) days following discovery that clean closure cannot be accomplished. If a determination is made to not pursue clean closure prior to the implementation of the closure plan, the modification request shall be made no later than sixty (60) days after the determination is made.
5. Financial assurance for closure and post-closure of the container storage area, if required, shall be provided within thirty (30) days following modification of the permit.
6. Within sixty (60) days after completing closure of the container storage area, the Permittee shall submit certification to the Agency that the unit has been closed in accordance with the approved closure plan.

The closure certification form in Attachment A to this permit or a certification with identical wording must be used. Signatures must meet the requirements of 35 Ill. Adm. Code Section 702.126. The independent engineer (registered in the State of Illinois) should be present at all critical, major points (activities) during the closure. These might include decontamination, soil sampling, soil removal, backfilling, final cover placement, etc. The frequency of inspections by the independent engineer must be sufficient to determine the adequacy of each critical activity. Financial assurance must be maintained for the area(s) until the Agency approves the closure certification for the unit. The Agency's review of closure certification for partial or final closure will be conducted in accordance with 35 IAC 724.243.

A Closure Documentation Report is to be submitted with the closure certification which includes the following items, if applicable:

- a. The volume of waste and waste residue removed, including wastes resulting from decontamination activities.
- b. A description of the method of waste handling and transport.
- c. Copies of the waste manifests.

- c. A description of the sampling and analytical methods used including sample preservation methods and chain-of-custody information.
  - d. A chronological summary of closure activities and the cost involved.
  - e. Tests performed, methods and results.
  - f. Color photographs of closure activities that document conditions before, during and after closure.
  - g. A scale drawing of all excavated or decontaminated areas and sample locations.
7. To avoid creating another regulated storage unit during closure, obtain any necessary permits for waste disposal prior to initiating excavation activities. If it is necessary to store excavated hazardous waste on-site prior to off-site disposal, do so only in containers or tanks for less than ninety (90) days or in the case of a partial closure, a properly permitted unit. Do not create regulated waste pile units by storing the excavated hazardous waste in piles. The ninety (90) day accumulation time exemption (35 IAC 722.134) only applies to containers and tanks.
8. Under the provisions of 29 CFR 1910 (51 FR 15,654, December 19, 1986), cleanup operations must meet the applicable requirements of OSHA's Hazardous Waste Operations and Emergency Response standard. These requirements include hazard communication, medical surveillance, health and safety programs, air monitoring, decontamination and training. General site workers engaged in activities that expose or potentially expose them to hazardous substances must receive a minimum of 40 hours of safety and health training off site plus a minimum of three days of actual field experience under the direct supervision of a trained experienced supervisor. Managers and supervisors at the cleanup site must have at least an additional eight hours of specialized training on managing hazardous waste operations.
9. If the Agency determines that implementation of this closure plan fails to satisfy the requirements of 35 Ill. Adm. Code, Section 724.211, the Agency reserves the right to amend the closure plan. Revisions of closure plans are subject to the appeal provisions of Section 40 of the Illinois Environmental Protection Act.
10. Please be advised that the requirements of the Responsible Property Transfer Act (Public Act 85-1228) may apply to your facility due to the management of RCRA hazardous waste. In addition, please be advised that if you store or treat on-site generated hazardous waste in containers or tanks pursuant to 35 IAC 722.134, those units are subject to the closure requirements identified in 35 IAC 722.134(a)(1).

**K     Financial Assurance**

1. The permittee shall maintain financial assurance for closure of the Container Storage Area of at least \$40,300 (in 2011 dollars). The financial assurance maintained by the facility shall be sufficient to meet the requirements at 35 Ill. Adm. Code 724 Subpart H.
2. The Permittee shall maintain liability coverage for sudden accidental occurrences of at least \$1 Million per occurrence with an annual aggregate of at least \$2 Million. The Permittee shall demonstrate continuous compliance with the liability insurance requirements at 35 Ill. Adm. Code 724.247 and the documentation requirements of 35 Ill. Adm. Code 724.251 until the permitted units are closed.

## **SECTION IV: CORRECTIVE ACTION**

### **A. INTRODUCTION**

1. In accordance with Section 3004 of RCRA and 35 IAC 724.201, the Permittee shall institute such corrective action as necessary to protect human health and the environment from all releases of hazardous wastes and hazardous constituents, listed in Appendix H of 35 IAC Part 721, from any solid waste management unit (SWMU) at its facility in Lakemoor, Illinois. The requirements set forth in this section ensure compliance with Section 30004(u) of RCRA and 35 Ill. Adm. Code 724.201.
2. Based upon a review of the available information, no SWMUs are currently present at the subject facility. However, there exists a possibility that the Permittee may, in the future, find or create SWMUs. Therefore, this section sets forth the procedures that the Permittee must follow if it finds or creates SWMUs in the future.

### **B. NOTIFICATION REQUIREMENTS FOR AN ASSESSMENT OF NEWLY-IDENTIFIED SOLID WASTE MANAGEMENT UNIT(S)**

1. The Permittee shall notify the Illinois EPA in writing of any newly-identified SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, no later than sixty (60) calendar days after discovery. The notification shall provide the following information, as available:
  - a. The location of the newly-identified SWMU in relation to other SWMUs on a scaled map or drawing;
  - b. The type and past and present function of the unit;
  - c. The general dimensions, capacities, and structural description of the unit (available drawings and specifications provided);
  - d. The period during which the unit was operated;
  - e. The specifics on all materials, including but not limited to, wastes and hazardous constituents, that have been or are being managed at the SWMU, to the extent available; and
  - f. The results of any relevant available sampling and analysis which may aid in determining whether releases of hazardous wastes or hazardous constituents have occurred or are occurring from the unit.

2. If the submitted information demonstrates a potential for a release of hazardous waste or hazardous waste constituents from the newly identified SWMU, the Illinois EPA may request in writing, that the Permittee prepare a Solid Waste Management Unit (SWMU) Assessment Plan and a proposed schedule of implementation and completion of the Plan for any additional SWMU(s) discovered subsequent to the issuance of this Permit. Guidance for the development of a SWMU assessment plan will be provided in Illinois EPA's written request for such a plan.

This SWMU Assessment plan must propose investigations, including field investigations if necessary, to determine the release potential to specific environmental media for the newly-identified SWMU. The SWMU Assessment Plan must demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste and hazardous constituents from the newly-discovered SWMU(s) to the environment.

3. The Illinois EPA shall approve, approve with conditions, or disapprove the Plan in writing. If the plan is approved, the Permittee shall begin to implement the Plan within forty-five (45) calendar days of receiving such written notification. If the Plan is disapproved, the Illinois EPA shall notify the Permittee in writing of the Plan's deficiencies and specify a due date for submittal of a revised plan.
4. The Permittee shall submit a report documenting the results of the approved SWMU Assessment Plan to the Illinois EPA in accordance with the schedule in the approved SWMU Assessment Plan. The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan.
5. Additional investigation, and corrective measures as necessary, shall be carried out to ensure the requirements of 35 Ill. Adm. Code 724.201 are met. Further guidance regarding compliance with these requirements will be provided as necessary. The requirements of 35 Ill. Adm. Code 742 must also be met.
6. All Illinois EPA action on newly identified SWMUs are subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.

#### **C. FINANCIAL ASSURANCE**

35 Ill. Adm. Code 724.201 requires that financial assurance be established for completing required corrective action at solid waste management units:

1. The Permittee shall demonstrate compliance with the financial assurance requirements of 35 Ill. Adm. Code 724.201 by providing documentation of financial assurance using a mechanism specified in 35 Ill. Adm. Code 724.243, in at least the amount of the

approved corrective action cost estimate. The words "completion of corrective action" shall be substituted for "closure and/or post-closure", as appropriate in the financial instrument specified in 35 Ill. Adm. Code 724.251. The Illinois EPA may accept financial assurance for completion of corrective action in combination with another financial mechanism that is acceptable under 35 Ill. Adm. Code 724.246 at its discretion.

2. The financial assurance requirements of 35 Ill. Adm. Code 724.201 must also be met for any investigative or corrective action efforts carried out in accordance with Subsection III.B above. Detailed cost estimates must be developed for any activities carried out under these Sections and must accompany any workplan/report submitted to Illinois EPA for review and approval. Appropriate documentation of financial assurance in at least the amount of the approved cost estimate must be submitted to Illinois EPA within 60 days after the cost estimates are approved.
3. Financial assurance for corrective action must be updated, as necessary, to reflect the current status of the RCRA corrective action program at this facility.



## SECTION V: STANDARD CONDITIONS

### GENERAL REQUIREMENTS

1. EFFECT OF PERMIT. The existence of a RCRA permit shall not constitute a defense to a violation of the Environmental Protection Act or Subtitle G, except for development, modification or operation without a permit. Issuance of this permit does not convey property rights or any exclusive privilege. Issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or infringement of state or local law or regulations. (35 Ill. Adm. Code 702.181)
2. PERMIT ACTIONS. This permit may be modified, reissued or revoked for cause as specified in 35 IAC 703.270 through 703.273 and Section 702.186. The filing of a request by the Permittee for a permit modification or revocation, or a notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. (35 Ill. Adm. Code 702.146)
3. SEVERABILITY. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. (35 Ill. Adm. Code 700.107)
4. PERMIT CONDITION CONFLICT. In case of conflict between a special permit condition and a standard condition, the special condition will prevail. (35 Ill. Adm. Code 702.160)
5. DUTY TO COMPLY. The Permittee shall comply with all conditions of this permit except for the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance constitutes a violation of the Environmental Protection Act and is grounds for enforcement action; permit revocation or modification; or for denial of a permit renewal application. (35 Ill. Adm. Code 702.141 and 703.242)
6. DUTY TO REAPPLY. If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must apply for a new permit at least 180 days before this permit expires, unless permission for a later date has been granted by the Illinois EPA. (35 Ill. Adm. Code 702.142 and 703.125)
7. PERMIT EXPIRATION. This permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (see 35 Ill. Adm. Code 703.181-703.209) and through no fault of the

Permittee the Illinois EPA has not issued a new permit as set forth in 35 Ill. Adm. Code 702.125.

8. **NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE.** It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (35 Ill. Adm. Code 702.143)
9. **DUTY TO MITIGATE.** In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. (35 Ill. Adm. Code 702.144)
10. **PROPER OPERATION AND MAINTENANCE.** The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory, and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. (35 Ill. Adm. Code 702.145)
11. **DUTY TO PROVIDE INFORMATION.** The Permittee shall furnish to the Illinois EPA, within a reasonable time, any relevant information which the Illinois EPA may request to determine whether cause exists for modifying, revoking and reissuing or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Illinois EPA, upon request, copies of records required to be kept by this permit. (35 Ill. Adm. Code 702.148)
12. **INSPECTION AND ENTRY.** The Permittee shall allow an authorized representative of the Illinois EPA, upon the presentation of credentials and other documents as may be required by law, to:
  - a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate Act, any substances or parameters at any location. (35 Ill. Adm. Code 702.149)

13. MONITORING AND RECORDS. (35 Ill. Adm. Code 702.150)

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste must be the appropriate method from Appendix A of 35 Ill. Adm. Code 721. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW-846, latest versions; Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, latest versions; or an equivalent method as specified in the approved Waste Analysis Plan.
- b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample, measurement, report or application. These periods may be extended by request of the Illinois EPA at any time. The permittee shall maintain records from all groundwater monitoring wells and associated groundwater surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.
- c. Records of monitoring information shall include:
  - i. The date(s), exact place, and time of sampling or measurements;
  - ii. The individual(s) who performed the sampling or measurements;
  - iii. The date(s) analyses were performed;
  - iv. The individual(s) who performed the analyses;
  - v. The analytical technique(s) or method(s) used; and
  - vi. The result(s) of such analyses. (35 Ill. Adm. Code 702.150)

14. REPORTING PLANNED CHANGES. The permittee shall give written notice to the Illinois EPA as soon as possible of any planned physical alterations or additions to the permitted facility. In general, proposed changes to the facility will need to be submitted to the Illinois EPA as permit modification request that complies with the requirements of 35 Ill. Adm. Code 703.280. (35 Ill. Adm. Codes 702.152(a))
15. CONSTRUCTION CERTIFICATION. For a new hazardous waste management facility, the permittee shall not commence treatment, storage or disposal of hazardous waste; and for a facility being modified the permittee shall not treat, store or dispose of hazardous waste in the modified portion of the facility, until:
  - a. The permittee has submitted to the Illinois EPA by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and
  - b.
    1. The Illinois EPA has inspected the modified or newly constructed facility and finds it is in compliance with the condition of the permit; or
    2. If, within 15 days of the date of submission of the letter in paragraph (a), the permittee has not received notice from the Illinois EPA of its intent to inspect, prior inspection is waived and the permittee may commence treatment, storage or disposal of hazardous waste. (35 Ill. Adm. Code 703.247)
16. ANTICIPATED NONCOMPLIANCE. The Permittee shall give advanced written notice to the Illinois EPA of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements, regulations, or the Act. (35 Ill. Adm. Code 702.152(b))
17. TRANSFER OF PERMITS. This permit may not be transferred by the permittee to a new owner or operator unless the permit has been modified or reissued pursuant to 35 Ill. Adm. Code 703.260(b) or 703.272. Changes in the ownership or operational control of a facility must be made as a Class 1 modification with the prior written approval of the Illinois EPA. The new owner or operator shall submit a revised permit application no later than 90 days prior to the scheduled change. (35 Ill. Adm. Code 703.260)
18. MONITORING REPORTS. Monitoring results shall be reported at the intervals specified in the permit. (35 Ill. Adm. Code 702.152(d))
19. COMPLIANCE SCHEDULES. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule

of this permit shall be submitted no later than specified in 35 Ill. Adm. Code 702.162.  
(35 Ill. Adm. Code 702.152(e))

20. TWENTY-FOUR HOUR REPORTING.

- a. The Permittee shall report to the Illinois EPA any noncompliance with the permit which may endanger health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the following circumstances. This report shall include the following:
  - i. Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.
  - ii. Information concerning the release or discharge of any hazardous waste or of a fire or explosion at the HWM facility, which could threaten the environment or human health outside the facility.
- b. The description of the occurrence and its cause shall include:
  - i. Name, address, and telephone number of the owner or operator;
  - ii. Name, address, and telephone number of the facility;
  - iii. Date, time, and type of incident;
  - iv. Name and quantity of material(s) involved;
  - v. The extent of injuries, if any;
  - vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where applicable; and
  - vii. Estimated quantity and disposition of recovered material that resulted from the incident.
- c. A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The

Illinois EPA may waive the five day written notice requirement in favor of a written report within fifteen days. (35 Ill. Adm. Code 702.152(f) and 703.245(b))

21. OTHER NONCOMPLIANCE. The Permittee shall report all instances of noncompliance not otherwise required to be reported under Standard Conditions 14, 15, and 16, at the time monitoring reports, as required by this permit, are submitted. The reports shall contain the information listed in Standard Condition 20. (35 Ill. Adm. Code 702.152(g))
22. OTHER INFORMATION. Where the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Illinois EPA, the Permittee shall promptly submit such facts or information. (35 Ill. Adm. Code 702.152(h))
23. REPORTING REQUIREMENTS. The following reports required by 35 Ill. Adm. Code 724 shall be submitted in addition to those required by 35 Ill. Adm. Code 702.152 (reporting requirements):
  - a. Manifest discrepancy report: if a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy with the waste generator or transporter. If the discrepancy is not resolved within 15 days after receiving the waste, the permittee must immediately submit to the Illinois EPA a letter describing the discrepancy and attempts to reconcile it and a copy of the manifest or shipping paper at issue. (35 Ill. Adm. Code 724.172(b))
  - b. Unmanifested waste report: The permittee must submit to the Illinois EPA within 15 days of receipt of unmanifested waste an unmanifested waste report on EPA form 8700-13B. (35 Ill. Adm. Code 724.176)
  - c. Annual report: an annual report must be submitted covering facility activities during the previous calendar year. (35 Ill. Adm. Code 724.175)
24. SUBMITTAL OF REPORTS OR OTHER INFORMATION. All written reports or other written information required to be submitted by the terms of this permit shall be sent to:

Illinois Environmental Protection Agency  
Bureau of Land  
Planning and Reporting Section - #24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276



25. SIGNATORY REQUIREMENT. All permit applications, reports or information submitted to the Illinois EPA shall be signed and certified as required by 35 Ill. Adm. Code 702.126. (35 Ill. Adm. Code 702.151)
26. CONFIDENTIAL INFORMATION. Any claim of confidentiality must be asserted in accordance with 35 Ill. Adm. Code 702.103 and 35 Ill. Adm. Code 161.
27. DOCUMENTS TO BE MAINTAINED AT FACILITY SITE. The Permittee shall maintain at the facility, until closure is complete, the following documents and amendments, revisions and modifications to these documents:
  - a. Waste analysis plan as required by 35 Ill. Adm. Code 724.113(b) and this permit.
  - b. Personnel training documents and records as required by 35 Ill. Adm. Code 724.116(d) and this permit.
  - c. Contingency plan as required by 35 Ill. Adm. Code 724.153(a) and this permit.
  - d. Closure plan as required by 35 Ill. Adm. Code 724.212(a) and this permit.
  - e. Cost estimate for facility closure as required by 35 Ill. Adm. Code 724.242(d) and this permit.
  - f. Operating record as required by 35 Ill. Adm. Code 724.173 and this permit.
  - g. Inspection schedules as required by 35 Ill. Adm. Code 724.115(b) and this permit.
28. WASTE MINIMIZATION. The Permittee shall certify at least annually that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable, and the proposed method of treatment, storage, or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment, in accordance with 35 Ill. Adm. Code 724.173(b)(9).

#### GENERAL FACILITY STANDARDS

29. NOTICE OF WASTE FROM A FOREIGN SOURCE. The permittee who has arranged to receive hazardous waste from a foreign source must notify the Illinois EPA in writing at least four weeks in advance of the date the waste is expected at the facility. (35 Ill. Adm. Code 724.112(a))

30. NOTICE OF WASTE FROM OFF-SITE. The Permittee who receives hazardous waste from an off-site source (except where the Permittee is also the generator), must inform the generator in writing that the permittee has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the facility operating record. (35 Ill. Adm. Code 724.112(b))
31. GENERAL WASTE ANALYSIS. The Permittee shall comply with the procedures described in the approved waste analysis plan. (35 Ill. Adm. Code 724.113)
32. SECURITY. The Permittee shall comply with the security provisions of 35 Ill. Adm. Code 724.114(b) and (c).
33. GENERAL INSPECTION REQUIREMENTS. The Permittee shall follow the approved inspection schedule. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by 35 Ill. Adm. Code 724.115(c). Records of inspections shall be kept as required by 35 Ill. Adm. Code 724.115(d).
34. PERSONNEL TRAINING. The Permittee shall conduct personnel training as required by 35 Ill. Adm. Code 724.116 and shall maintain training documents and records as required by 35 Ill. Adm. Code 724.116(d) and (e).
35. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE. The Permittee shall comply with the requirements of 35 Ill. Adm. Code 724.117.

#### **PREPAREDNESS AND PREVENTION**

36. DESIGN AND OPERATION OF FACILITY. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. (35 Ill. Adm. Code 724.131)
37. REQUIRED EQUIPMENT. The Permittee shall equip the facility with the equipment set forth in the approved contingency plan, as required by 35 Ill. Adm. Code 724.132.
38. TESTING AND MAINTENANCE OF EQUIPMENT. The Permittee shall test and maintain the equipment specified in the contingency plan and this permit as necessary to assure its proper operation in time of emergency. Such testing and maintenance activities are set forth in the approved inspection schedule. (35 Ill. Adm. Code 724.133)

39. ACCESS TO COMMUNICATIONS OR ALARM SYSTEM. The Permittee shall maintain access to the communications or alarm system as required by 35 Ill. Adm. Code 724.134.
40. REQUIRED AISLE SPACE. The Permittee shall maintain aisle space as required by 35 Ill. Adm. Code 724.135 and National Fire Protection Association (NFPA) requirements.
41. ARRANGEMENTS WITH STATE AND LOCAL AUTHORITIES AND EMERGENCY RESPONSE CONTRACTORS. The Permittee shall attempt to make emergency response arrangements with State and local authorities and agreements with State emergency response teams and emergency response contractors and equipment suppliers as required by 35 Ill. Adm. Code 724.137. If State or local officials refuse to enter in preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

#### **CONTINGENCY PLAN**

42. IMPLEMENTATION OF PLAN. The provisions of the contingency plan must be carried out by the Permittee immediately whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment (35 Ill. Adm. Code 724.151(b)). At a minimum, this includes any fire or explosion which occurs in an area where hazardous waste is being managed (treated, stored or disposed) (35 Ill. Adm. Code 703.241). Within 15 days of any incident that requires implementation of the contingency plan, the owner or operator must submit a written report to the Illinois EPA as required by 35 Ill. Adm. Code 724.156(j).
43. COPIES OF PLAN. A copy of the contingency plan, including any revisions, must be maintained at the facility and submitted to all local police and fire departments, hospitals and state and local emergency response teams as required by 35 Ill. Adm. Code 724.153.
44. AMENDMENTS TO PLAN. The Permittee shall review and immediately amend, if necessary, the contingency plan, as required by 35 Ill. Adm. Code 724.154.
45. EMERGENCY COORDINATOR. A trained emergency coordinator shall be available at all times in case of an emergency as required by 35 Ill. Adm. Code 724.155 and 724.156.

#### **MANIFEST SYSTEM RECORD KEEPING AND REPORTING**

46. MANIFEST SYSTEM. The Permittee shall comply with the manifest requirements of 35 Ill. Adm. Code 724.171, 724.172 and 724.176.

- 47. OPERATING RECORD. The Permittee shall maintain a written operating record at the facility in accordance with 35 Ill. Adm. Code 724.173.
- 48. ANNUAL REPORT. The Permittee shall prepare and submit an annual report to the Illinois EPA prior to March 1st of each year in accordance with the requirements of 35 Ill. Adm. Code 724.175.

### CLOSURE

- 49. PERFORMANCE STANDARD. The Permittee shall close the facility as required by 35 Ill. Adm. Code 724.211 12 and in accordance with the approved closure plan.
- 50. AMENDMENT TO CLOSURE PLAN. The Permittee must amend the closure plan whenever there is a change in the expected year of closure or whenever a change in the facility operation plans or facility design affects the closure plan pursuant to 35 Ill. Adm. Code 724.212(c).
- 51. NOTIFICATION OF CLOSURE. The Permittee shall notify the Illinois EPA at least 60 days prior to the date it expects to begin closure. (35 Ill. Adm. Code 724.212(d))
- 52. TIME ALLOWED FOR CLOSURE. After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste and complete closure activities in accordance with the schedule(s) specified in the closure plan. (35 Ill. Adm. Code 724.213)
- 53. DISPOSAL AND/OR DECONTAMINATION OF EQUIPMENT. When closure is completed, the Permittee shall decontaminate and/or dispose of all facility equipment and structures as required by the approved closure (35 Ill. Adm. Code 724.214) plan.
- 54. CERTIFICATION OF CLOSURE. When closure is completed, the Permittee shall submit certification to the Illinois EPA in accordance with 35 Ill. Adm. Code 724.215 that the facility has been closed as specified by the approved closure plans.
- 55. COST ESTIMATE FOR FACILITY CLOSURE. The Permittee's original closure cost estimate, prepared in accordance with 35 Ill. Adm. Code 724.242, must be:
  - a. Adjusted for inflation 60 days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with Section 724.243. However, if the owner/operator is using the financial test or corporate guarantee, it must be updated for inflation within 30 days after close of the firm's fiscal year, and before the submission of updated information to the Illinois EPA as specified in Section 724.243(f).

- b. Revised no later than 30 days after the Illinois EPA has approved a request to modify the closure plan, if the change in the closure plan increases the cost of closure.
  - c. Kept on record at the facility and updated. (35 Ill. Adm. Code 724.242)
  - d. Made immediately available to Illinois EPA personnel upon Illinois EPA request.
56. **FINANCIAL ASSURANCE FOR FACILITY CLOSURE.** The Permittee shall demonstrate compliance with 35 Ill. Adm. Code 724.243 by providing documentation of financial assurance, as required by 35 Ill. Adm. Code 724.251, in at least the amount of the cost estimates required by the previous Permit Condition. Changes in financial assurance mechanisms must be approved by the Illinois EPA pursuant to 35 Ill. Adm. Code 724.243.

Financial assurance documents submitted to Illinois EPA should be directed to the following address:

Illinois Environmental Protection Agency  
Bureau of Land #24  
Financial Assurance Program  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

57. **LIABILITY REQUIREMENTS.** The Permittee shall demonstrate continuous compliance with the requirements of 35 Ill. Adm. Code 724.247 and the documentation requirements of 35 Ill. Adm. Code 724.251.
58. **INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS.** The Permittee shall comply with 35 Ill. Adm. Code 724.248 whenever necessary.

#### **LAND DISPOSAL RESTRICTIONS**

59. **DISPOSAL PROHIBITION.** Any waste identified in 35 Ill. Adm. Code Part 728, Subpart C, or any mixture of such a waste with nonrestricted wastes, is prohibited from land disposal unless it meets the standards of 35 Ill. Adm. Code Part 728, Subpart D, or unless it meets the requirements for exemptions under Subpart C. "Land disposal" means placement in or on the land and includes, but is not limited to, placement in a landfill,

surface impoundment, waste pile, injection well, land treatment facility, or vault intended for disposal.

60. DILUTION PROHIBITION. The Permittee shall not in any way dilute a restricted waste or residual from treatment of a restricted waste as a substitute for adequate treatment in order to achieve compliance with 35 Ill. Adm. Code 728, Subpart D (35 Ill. Adm. Code 728.103).
61. WASTE ANALYSIS.
  - a. The Permittee must test his waste or extract developed, using the test method identified in Appendix I of 40 CFR Part 268, or use knowledge of the waste, to determine if the waste is restricted from land disposal.
  - b. For any waste with treatment standards expressed as concentrations in the waste extract, the Permittee must test the treatment residues or an extract of such residues developed using the test method described in Appendix I of 40 CFR Part 268, to assure that the treatment residues or extract meet the applicable treatment standard.
  - c. If the treatment residues do not meet the treatment standards, or if the Permittee ships any restricted wastes to a different facility, the Permittee shall comply with the requirements applicable to generators in 35 Ill. Adm. Code 728.107 and 728.150(a)(1).
62. STORAGE RESTRICTIONS
  - a. The Permittee shall not store hazardous wastes restricted from land disposal under 35 Ill. Adm. Code Part 728, Subpart C unless such wastes are stored only in containers or tanks, and are stored solely for the purpose of the accumulation of such quantities as is necessary to facilitate proper recovery, treatment, or disposal, and: (1) each container is clearly marked to identify its contents and the date each period of accumulation begins; (2) each tank is clearly marked to identify its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, as required by 35 Ill. Adm. Code 728.150.
  - b. The Permittee must comply with the operating record requirements of 35 Ill. Adm. Code 724.173.

63. NEW DETERMINATIONS OF PROHIBITED WASTES

Wastes which are prohibited from land disposal under 35 Ill. Adm. Code Part 728, Subpart C, or for which treatment standards have been established under 35 Ill. Adm. Code 728, Subpart D, subsequent to the date of issuance of this permit, shall be subject to the conditions number 59 through 62 above.



## SECTION VI - SPECIAL CONDITIONS

1. The Permittee is required to complete and provide the following 39i Certification forms to the Illinois EPA Bureau of Land:

- a. A 39i (legal entity) certification form must be filled out for the legal entity (i.e. Company) that appears on the permit application being submitted, and
- b. A 39i (individual) form must be filled out for the individual that signs the 39i (legal entity) certification form, and
- c. A 39i (individual) form must be filled out for each individual who signs the permit application.

Note: If the applicant wants additional staff to be able to send in future modifications, certifications, etc. those individuals should also send in an individual 39i certification form.

2. The permittee shall submit the necessary 39i certification form(s) and supporting documentation within 30 days of the effective date of this permit and thereafter within 30 days of any of the following events:
  - a. The owner or operator, or officer of the owner or operator, or any employee who has control over operating decisions regarding the facility has violated federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites; or
  - b. The owner or operator, or officer of the owner or operator, or any employee who has control over operating decisions regarding the facility has been convicted in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or
  - c. The owner or operator, or officer of the owner or operator, or any employee who has control over operating decisions regarding the facility has committed an act of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of waste.
  - d. A new person is associated with the owner or operator who can sign the permit application or who has control over operating decisions regarding the facility, such as a corporate officer or a delegated employee.

The 39i certification must describe the violation(s), convictions, carelessness, or incompetence as outlined in (a), (b), or (c) above and must include the date that a new person as described in (d) above began employment with the applicant.

The 39i certification form and supporting documentation shall be submitted to the address specified below:

Illinois Environmental Protection Agency  
Bureau of Land #33 – 39i Certification  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

[The 39i certification forms will be treated as confidential by the Agency. The applicant may also request the information on the 39i certification form be maintained confidential in accordance with 2 IAC 1828.]

## SECTION VII

### REPORTING AND NOTIFICATION REQUIREMENTS

The reporting and notification requirements of each section of the RCRA permit are summarized below. This summary is provided to highlight the various reporting and notification requirements of this permit.

CONDITION	SUBMITTAL	DUE DATE
CONTAINER STORAGE		
III.I.2	Notify Regional Office of implementation of the Contingency Plan.	Within 24 hours of implementation of the Contingency Plan.
III.J.1	Notify Agency of intent to close the container storage area	At least 180 days prior to commencement of closure.
III.J.1	Submit decontamination and/or soil sampling and analysis plan for review.	At least 180 days prior to closure.
III.J.3	Submit application for modification of permit and closure / post-closure plan.	No later than 60 days after determining the container storage area cannot be clean closed.
III.J.5	Update Financial Assurance for closure and post-closure of the container storage area.	No later than 30 days after modification of the permit to include post-closure care.
III.J.6	Certification of Closure	Within 60 days of completing closure of the container storage area.
CORRECTIVE ACTION		
IV.B.1	Notification of new SWMU.	Within 60 calendar days after discovery of SWMU.
STANDARD CONDITIONS		
V.6	Complete application for new permit	At least 180 days prior to expiration of this permit.
V.11	Information requested by Agency and copies of records required to be kept by this permit.	Within a reasonable time of the request.
V.14	Notify the Agency of planned physical alterations or additions	At least 15 days prior to any planned change.
V.15	Construction Certification	At least 15 days prior to

CONDITION	SUBMITTAL	DUE DATE
		planned use of modified portion of facility.
V.16	Notify Agency of any changes that may result in noncompliance with this permit.	Within 15 days of the change.
V.17	Application for permit modification to transfer permit.	At least 90 days prior to the transfer date.
V.19	Submission of any information required in a compliance schedule.	Within 14 days after each schedule date.
V.20	Report to Agency any non-compliance that may endanger human health or the environment.	
	By telephone	Within 24 hours after discovery.
	In writing	Within 5 days after discovery.
V.21	Report all other instances of noncompliance	March 1 of each year along with Annual Report.
V.23.a	Manifest discrepancy report.	Within 15 days of receipt of waste (if discrepancy is not resolved)
V.23.b	Unmanifested waste report	Within 15 days of receipt of unmanifested waste.
V.29	Notify Agency in writing of expected receipt of hazardous waste from foreign source	At least 4 weeks prior to receipt of waste.
V.42	Implementation of Contingency Plan	
	Notify appropriate state and local agencies with designated response roles.	As needed.
	Notify appropriate local officials.	Immediately if emergency coordinator's assessment indicates evacuation of local area is advisable.
	Notify the Agency (217/782-3637) or Illinois ESDA (217/782-7860) if emergency coordinator determines there has been a release, fire or explosion that could threaten human health or the environment, outside the facility.	Immediately after determination is made
	Notify Agency and appropriate state and local authorities, in writing that	Prior to resuming operation in affected areas.

CONDITION	SUBMITTAL	DUE DATE
	facility is in compliance with 35 IAC 724.156(h).	
	Report to Agency details regarding incident that required implementation of contingency plan.	Within 15 days after event.
V.48	Annual Report required by 724.175.	March 1 of each year.
V.50	Permit modification to amend closure plan.	As required.
V.51	Notification of closure	At least 60 days prior to initiating closure.
V.55.a	Closure cost estimate adjusted for inflation.	60 days prior, or 30 days after anniversary date (depending on type of financial instrument used).
V.55.b	Revised closure cost estimate	As needed.
V.56	Change in financial assurance mechanism.	As needed.
V.57	Change in coverage for sudden or non-sudden liability insurance.	As needed.
V.58	Notification of commencement of voluntary or involuntary bankruptcy proceedings	Within 10 days after commencement of proceeding.

## ATTACHMENT A

### Closure Certification Statement

This statement is to be completed by both the responsible officer and by the registered professional engineer upon completion of closure. Submit one copy of the certification with original signatures and three additional copies.

The hazardous waste container storage unit (S01) at the facility described in this document has been closed in accordance with the specifications in the approved closure plan. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

---

USEPA ID Number

---

Facility Name

---

Signature of Owner/Operator

---

Printed Name and Title

---

Signature of Registered P.E.

---

Printed Name of Registered P.E. and Illinois  
Registration Number

[P.E. Stamp]

---

Date



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

USEPA

217/524-3300

July 5, 2012

CERTIFIED MAIL

7009 3410 0002 3749 6236

7009 3410 0002 3749 6243

OPERATOR

Mr. Lenny Worth  
Fluorecycle, Inc.  
27780 W. Concrete Drive, Unit A  
Ingleside, Illinois 60041

OWNER

Mr. Peter Miller  
27750-80 W. Concrete Drive, LLC  
27780 W. Concrete Drive.  
Ingleside, Illinois 60041

Re: 0974455001 -- Lake County  
Fluorecycle, Inc.  
ILR000049833  
RCRA Log 168R  
RCRA Permit Administrative Record File  
Permit Approval

Gentlemen:

As you know, the above referenced facility located in Lakemoor, Illinois currently has a RCRA Hazardous Waste Management Permit (Illinois EPA Log No. B-168) which allows it to receive and store fluorescent lamps and high intensity discharge lamp that are hazardous waste due to the mercury in them. These lamps are then recycled at the facility in accordance with 35 Ill. Adm. Code 721.106.

Fluorecycle submitted an application to renew the above-mentioned RCRA permit on December 21, 2012. In accordance with 35 Ill. Admin. Code 702.125(a), this permit will remain in effect until such time as Illinois EPA takes final action on the renewal application.

Illinois EPA has completed its review of the application to renew the subject facility's RCRA permit and in accordance with 35 Ill. Admin. Code 705.141, is hereby providing a draft RCRA renewal permit for public comment for this facility. A copy of this draft and well as the associated fact sheet developed in accordance with 35 Ill. Admin. Code 705.142 is attached. This draft renewal permit is based on the administrative record (which includes the renewal application).in Illinois EPA's files developed in accordance with 35 Ill. Admin. Code 705.144.

Under the provisions of 35 Ill. Adm. Code 705.141(d), the draft permit and administrative record must be publicly noticed and made available for public comment. The public comment period for this draft permit begins on July 5, 2012 and ends on August 20, 2012. Copies of the draft decision, fact sheet, and application are available for review at the River East Public Library at 813 W. Route 120 in McHenry.



During the comment period, the applicant or any interested party may submit comments to the Illinois EPA on the draft permit. At the close of the comment period, the Illinois EPA will prepare a response to significant comments and take them into account, as appropriate, in its final decision on the subject permit application. Comments on the draft renewal permit may be submitted to:

Mara McGinnis, Office of Community Relations, # 5  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

Please note that during its review of the renewal permit application, Illinois EPA noted the following deficiencies that must be addressed by the Permittee prior to issuance of a final permit. If these deficiencies are not addressed by the Permittee, Illinois EPA reserves the right to reverse its tentative approval, and proceed with denial of the renewal permit:

1. The permit application contained no Facility Mailing List. This list must be compiled in accordance with 35 Ill. Adm. Code 705.163. Please contact Mara McGinnis ([mara.mcginis@illinois.gov](mailto:mara.mcginis@illinois.gov)) for a copy of the generic list which the Permittee may use to comply with the requirements of 35 Ill. Adm. Code 705.163.
2. The permit application contained no proof of liability insurance. In accordance with 35 Ill. Adm. Code 724.247, the Permittee must obtain coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

As indicated above, Illinois EPA will take into account all comments received during the comment period and issue a final renewal permit after the close of the public comment period unless the Illinois EPA decides to reverse the tentative decision. The appeal process and limitations are addressed in 35 Ill. Adm. Code 705.212. If a final renewal permit is issued, Fluorecycle will be required to operate under and comply with the renewal permit.

Within 35 days after the notification of a final permit decision, the Permittee may petition the Illinois Pollution Control Board to contest the issuance of the permit. The petition shall include a statement of the reasons supporting a review, including demonstration that any issues raised in the petition, were previously raised during the public comment period. In all other respects the petition shall be in accordance with the requirements for permit appeals as set forth in 35 Ill. Adm. Code Part 105. Nothing in this paragraph is intended to restrict appeal rights under Section 40(b) of the Environmental Protection Act (35 Ill. Adm. Code 705.212(a)).

If you have any questions concerning this draft permit, please contact Mark L. Crites at 217/524-3269.

Fluorecycle, B-168R  
Draft RCRA Permit  
Page 3

Sincerely,



Stephen F. Nightingale, P.E.  
Manager, Permit Section  
Bureau of Land

MLC  
SFN:MLC:0974455001-RCRA-B168R-final.docx  
JCM

Attachments: Fact Sheet  
Hazardous Waste Management Permit

cc: USEPA Region V  
Gary Deigan, Deigan & Associates

bcc: Bureau File  
Des Plaines Region  
Mark Crites  
Rob Watson  
Jim Moore

**FACT SHEET**  
**DRAFT Renewal RCRA Hazardous Waste Permit**

**FLUORECYCLE, Inc.**  
**LAKEMOOR, ILLINOIS**

**ILR 000 049 833**  
**STATE ID # 0974455001**  
**RCRA Permit LOG NO. B-168R**

This fact sheet has been prepared pursuant to the requirements of Title 35 Illinois Administrative Code (35 IAC) Section 705.143. The fact sheet is intended to be a brief summary of the principal facts and significant factual, legal, methodological, and policy questions considered in preparing a draft RCRA renewal permit for the Fluorecycle facility in Lakemoor, Illinois. Pursuant to 35 IAC 705.143(a), this fact sheet is sent to the applicant, the public repository established by the Illinois EPA, and any person who requests it.

**I. INTRODUCTION**

The draft RCRA renewal permit for Fluorecycle contains all of the standard conditions required by 35 IAC Parts 702, 703, and 724; and the applicable conditions of 35 IAC Part 724 for the storage of hazardous waste in containers. The Fluorecycle facility in Lakemoor Illinois is located at an existing building in Lakemoor, Illinois. Although the facility is located in Lakemoor, the mailing address is 27780 W. Concrete Drive, Unit A in Ingleside, Illinois. The Fluorecycle facility receives and stores spent mercury containing lamps in accordance with a RCRA permit issued by Illinois EPA (Log No. B0-168).

Fluorecycle submitted its renewal permit application on December, 22, 2011. The draft RCRA renewal permit is based upon this application.

**II. DESCRIPTION OF FACILITY**

**A. General Site History**

Fluorecycle operates a mercury reclamation - recycling operation in Lakemoor, Illinois. The facility processes fluorescent and high intensity discharge (HID) lamps (e.g. lamps) to reclaim/recover the mercury as well as the glass and metals in the wastes. The lamps contain mercury and are hazardous wastes (D009) due to leachable concentrations of that mercury. The facility is located in a 4,000 square foot addition to the existing Paramount Electric Supply building. The hazardous wastes (lamps) that are received at the site will be stored in a 30 x 30 square foot area within the Fluorecycle facility prior to being recycled.

**B. Site Description**

Fluorecycle is located in a light industrial park in Lakemoor, Illinois. The land surrounding the industrial park is agricultural.

### III. HAZARDOUS WASTE MANAGEMENT UNITS

#### A. WASTE TYPE

This draft permit allows Fluorecycle to receive and store only those fluorescent and HID lamps (lamps) that are hazardous wastes (D009) due to the mercury in them.

#### B. STORAGE

This draft permit allows Fluorecycle to store a maximum of 5,772.5 cubic feet of wastes (lamps) in the container storage area at any one time. In addition, wastes may only be stored on the storage racks within the 30 x 30 square foot hazardous waste storage area as indicated on Figure B.2 in the permit application. The draft permit prohibits the storage of containers of wastes, or pallets of containers, on the floor within the storage area.

#### C. RECYCLING OPERATION

In accordance with 35 Ill. Adm. Code 721.106, the recycling of lamps received at the Fluorecycle facility is exempt from the RCRA permitting requirements because the process recovers commercial grade mercury that is shipped off-site and used in place of a raw material. Environmental and worker safety regulations other than RCRA apply to the recycling process equipment.

The lamps that are received at Fluorecycle are crushed and the components that make up the wastes are separated. Most of the mercury in a fluorescent lamp is attached to the phosphor powder in the lamp. This powder is collected and the mercury is extracted from it. The entire recycling process is operated under negative air pressure. The air that is collected goes through a filter system before it is released back to the atmosphere. In addition, the air in the building is sampled and tested for mercury several times each day.

#### D. CORRECTIVE ACTION

RCRA permitted facilities must perform corrective action when a release of hazardous constituents occurs at their facility. These areas are designated as solid waste management units (SWMUs). No SWMUs have been identified at the facility. However, the draft permit includes a section on Corrective Action in the event that a SWMU is discovered, or created, in the future.

#### E. STANDARD PERMIT CONDITIONS

Standard Permit Conditions 1 to 62 in the draft permit are regulatory requirements of 35 Ill. Adm. Code, Parts 702, 703 and 724. These conditions are of a general nature and are applicable to all Hazardous Waste Management facilities regulated pursuant to an Illinois EPA RCRA permit. These conditions include the effectiveness of the permit, permit actions, severability, permit expiration, monitoring and retention of records, transfer of permits, and compliance schedules.

## **V. CONSIDERED PERMIT ACTIONS OTHER THAN RCRA**

### **A. Air**

The air emissions from a hazardous waste management facility are regulated under RCRA, the Clean Air Act (CAA), Illinois' Environmental Protection Act and State regulations at Title 35: Environmental Protection, Subtitle B: Air Pollution. Under these regulations, the facility is required to obtain a permit to install or operate any process that is, or may be, a source of air pollutants. The recycling operation at Fluorecycle permitted by the Illinois EPA, Bureau of Air.

### **B. Water**

Discharge of any waste waters from a hazardous waste management facility into the waters of the State, must occur under a National Pollutant Discharge Elimination System (NPDES) Permit issued by the Agency under Section 39(b) of the Environmental Protection Act. Operations at the Fluorecycle facility do not discharge wastewaters to waters of the state. Therefore, the facility does not have a NPDES permit.

## **VI. PROCEDURES FOR REACHING A FINAL DECISION**

Pursuant to 35 IAC 705.162(a)(2), the public is given forty-five (45) days to review the application and comment on the draft renewal permit conditions prior to Illinois EPA taking any final permitting action on the renewal application for this RCRA hazardous waste management permit.

Copies of the draft renewal permit and fact sheet are available for review at the River East Public Library at 813 W. Route 120 in McHenry Illinois. The comment period will begin on July 5, 2012. The comment period will end on August 20, 2012. When the Agency makes its final permit decision, notice of the decision will be given to the applicant and each person who has submitted written comments or requested notice of the final permit decision; a copy of Illinois EPA's response to comments will be included in this package. The permit will become effective thirty-five (35) days after service of notice of the decision, unless it is appealed, or at a later date if stated in the Permit.

Any interested person may submit written comments on the draft renewal permit, or

request a public hearing, by contacting:

Mara McGinnis, Office of Community Relations, # 33  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217) 524-3288

The administrative record can be made available for public inspection at the Illinois EPA Springfield headquarters from 8:30 a.m. to 5:00 p.m., Monday through Friday. The administrative record contains the permit application, fact sheet, and other supporting documents and correspondence submitted to the Illinois EPA. Review of the administrative record must be scheduled in advance by contacting Ms. McGinnis at the above address.

In response to requests received during the comment period or at the discretion of the Illinois EPA, a public hearing may be held to clarify one or more issues concerning the renewal permit application. A request for a public hearing must be in writing and shall state the nature of the issues proposed to be raised in the hearing. Public notice will be issued forty five (45) days before any public hearing.

For further information, please contact Mara McGinnis, at the above address, by telephone at (217) 524-3288, or e-mail at [Mara.McGinnis@epa.state.il.us](mailto:Mara.McGinnis@epa.state.il.us).



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

## RCRA HAZARDOUS WASTE MANAGEMENT PERMIT

IEPA # 0974455001 -- Lake County  
USEPA # ILR000049833  
Fluorecycle, Inc.  
Permit Log No. B-168R  
RCRA Permit Administrative Record File

Issue Date:  
Effective Date:  
Expiration Date:

**DRAFT**

### OPERATOR

Fluorecycle, Inc.  
27780 W. Concrete Drive, Unit A  
Ingleside, Illinois 60041

### OWNER

27750-80 W. Concrete Drive, LLC  
27780 W. Concrete Drive.  
Ingleside, Illinois 60041

A DRAFT renewal RCRA permit is hereby granted to 27750-80 W. Concrete Drive, LLC as Owner, and Fluorecycle, Inc. as Operator and Permittee for the above-referenced facility pursuant Section 39(d) of the Illinois Environmental Protection Act and Title 35 Illinois Administrative Code Subtitle G (35 Ill. Adm. Code).

This permit requires Fluorecycle to operate a hazardous waste container storage area at the facility in accordance with the regulations, the approved permit application, and the conditions in this permit. Mercury containing lamps are received at this facility, stored in the permitted container storage area, and then recycled in accordance with 35 Ill. Adm. Code 721.106. Fluorecycle is located at 27780 W. Concrete Drive in Ingleside, Illinois.

This permit consists of the conditions contained herein and those in the sections and attachments in this permit. The Permittee must comply with all terms and conditions of this permit and the applicable regulations contained in 35 Ill. Adm. Code Parts 702, 703, 705 and 720 through 729 in effect on the effective date of this permit.

This permit is issued based on the information submitted in the approved permit application identified in Section II of this permit and any subsequent amendments. Any inaccuracies found in the information provided in the permit application may be grounds for the termination or modification of this permit (see 35 Ill. Adm. Code 702.187 and 702.186) and potential enforcement action (415 ILCS 5/44(h)).

**DRAFT**

Stephen F. Nightingale, P.E.  
Manager, Permit Section  
Bureau of Land

SFN:WRW:0974455001-RCRA-B168R-final.docx

**RCRA Hazardous Waste Management Permit**  
**Fluorecycle**  
**0974455001 -- Lake County**  
**ILR000049833**  
**Log No. B-168R**

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## SECTION I – GENERAL FACILITY DESCRIPTION

### I.A. OWNER

The facility owner is 27750-80 W. Concrete Drive, LLC, herein referred to as the “owner”. [35 IAC 702.123 & 703.181]

27750-80 W. Concrete Drive, LLC  
27780 W. Concrete Drive  
Ingleside, Illinois 60041

### I.B. OPERATOR

The facility operator is the Fluorecycle, Inc., herein referred to as the “Permittee.” [35 IAC 702.121, 702.123 & 703.181]

### I.C. FACILITY LOCATION AND LAYOUT

#### I.C.1 Facility Address

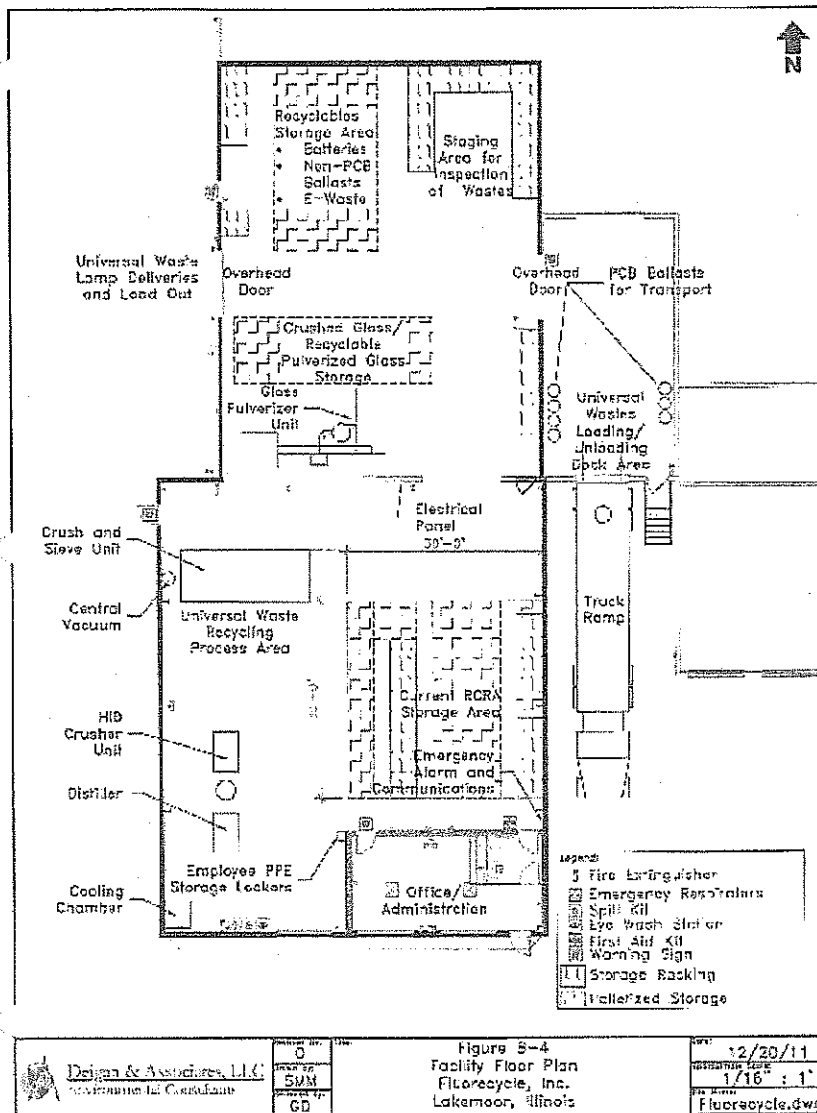
Fluorecycle, Inc.  
27780 W. Concrete Drive, Unit A  
Ingleside, Illinois 60041

The facility is located in a 4,000 square foot addition to the Paramount Electric Supply Company in Lakemoor, Illinois. The legal description for the permitted facility is Lot 17 (except the westerly 75 feet thereof) in Fischer’s Industrial Park; being a subdivision of the Northwest Quarter and the Southwest Quarter of Section 34, Township 45 North, Range 9, East of the Third Principal Meridian, according to the plat thereof recorded March 13, 1989 as Document 2772521, in Lake County, Illinois.

#### I.C.2 Facility Layout Maps

Figure 1 of this permit is the site plan for the facility. It includes the location of the hazardous waste container storage area, and the location of the common dock area where shipments of wastes will be off-loaded from the trucks used to transport them to the facility. The permittee is prohibited from conducting waste management activities in areas that are not specifically identified in the approved permit application or this permit.

Figure 1:



**I.D. DESCRIPTION OF HAZARDOUS WASTE MANAGEMENT ACTIVITIES**

Fluorecycle processes used fluorescent and high intensity discharge (HID) lamps (e.g. lamps) and reclaims / recovers the mercury, glass and metals in these wastes. The lamps are considered Universal Waste, and may be hazardous waste (D009) due to the mercury in them.

This RCRA Part B permit is for the storage of hazardous waste prior to the recycling process. The facility can receive mercury containing lamps from a wide variety of generators. Fluorecycle receives lamps that are whole and unbroken as well as those that are crushed.

**DRAFT**

## **SECTION II – APPROVED PERMIT APPLICATION**

### **II.A. APPROVED PERMIT APPLICATION**

This permit is based on the information in the approved permit application. The approved permit application consists of the following document(s):

<u>Document</u>	<u>Date</u>	<u>Date Received</u>
RCRA Permit Application	December 21, 2011	December 22, 2011

## Section III - CONTAINERS

### A. SUMMARY

All wastes received from off-site generators must be held in one of the containers specified in Section D1.1.1 of the approved permit application. All containers must be DOT-approved for the materials that they contain. Both new and used containers can be received from off-site generators.

### B. WASTE IDENTIFICATION

1. The permittee is prohibited from receiving or storing wastes that are not mercury-containing lamps. "Mercury-containing lamp" means an electric lamp into which mercury is purposely introduced by the manufacturer for the operation of the lamp. Mercury-containing lamps include, but are not limited to, fluorescent lamps and high-intensity discharge lamps (e.g. lamps).
2. The permittee shall not receive or store wastes that contain free liquids at the Fluorecycle facility.
3. The Permittee shall not receive or store ignitable or reactive waste at the Fluorecycle facility.
4. The Permittee shall not receive or store incompatible wastes, or incompatible wastes and materials, at the Fluorecycle facility.

### C. CONTAINER STORAGE AREA

1. The maximum volume of containerized waste that can be placed/stored in the container storage area at any one time shall not exceed (1) 5,772.5 cubic feet, or (2) 5,452.5 cubic feet of uncrushed lamps with sixteen (16) 55-gallon drums of crushed lamps. The permitted storage volume is further defined below :

#### a. Western Storage Racks:

[All boxes] 2 racks x 3 pallets per shelf x 3 high x 80 ft<sup>3</sup> per pallet = 1,440 cf.

or

[4 pallets of 55-gal. drums] 14 pallets x 80 ft<sup>3</sup> per pallet = 1,120 cf. (plus a maximum of 16 55-gal. drums of crushed lamps.)

#### b. Eastern Storage Racks along wall:

2 racks x 3 pallets per shelf x 3 high x 80 ft<sup>3</sup> per pallet = 1,440 cf.

c. Floor Storage

Western Row (8' lamps): 5' x 30' x 6.5' = 975 cf  
Eastern Rows: 2 (4' x 30' x 6.5') = 1,560 cf  
Area north of Western Storage Rack: 6' x 5' x 6.5' = 195 cf  
Area between Eastern Storage Racks: 3' x 5' x 6.5' = 97.5 cf  
Area north of Eastern Storage Rack: 2' x 5' x 6.5' = 65 cf

**D. CONDITION OF CONTAINERS**

1. If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the Permittee must transfer the hazardous waste from this container to a container that is in good condition or manage the waste in accordance with the Approved Permit Application.
2. Any transfer of waste that is required to comply with Condition D.1 must be recorded in the facility's operating record.
3. Packaging of all wastes accepted for storage in the container storage area shall meet the requirements of 49 CFR 172, 178 and 179 and all applicable D.O.T. and Universal Waste regulations at 35 IAC 733. All containers must be marked and placarded in accordance with 49 CFR 172 or 35 IAC 733.
4. The contents of each container shall be clearly identified on the top or side of the container in accordance with 49 CFR 172 prior to being placed in the container storage area.

**E. COMPATIBILITY OF WASTE WITH CONTAINERS**

1. The Permittee must use a container made of or lined with material that will not react with, and is otherwise compatible with, the waste to be stored, so that the ability of the container to contain the waste is not impaired.

**F. MANAGEMENT OF CONTAINERS**

The Permittee shall comply with the following container management practices:

1. A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

2. A container holding hazardous waste must not be opened, handled, or stored in a manner that may rupture the container or cause it to leak.
3. Containers and pallets of containers shall only be placed in the RCRA container storage area. Containers, or pallets of containers, shall not be stacked on top of each other.
4. Containers shall be stored in accordance with the storage arrangement identified on Figure 3 of this permit. Containers stored on the floor shall not be stacked more than 6.5 feet high.
5. Containers that are stored on the floor (e.g. not stored on the storage racks) shall be removed from the container storage area within seven days of the date they were placed there.
6. Wastes shall only be received at the site in the common loading dock area (common area) identified on Figure 1 of this permit. Wastes shall only be located in this area long enough to unload the truck that was used to ship the wastes and perform the waste receipt inspection procedures described in Section C.2.5.2.2 of the approved permit application, but in no case shall wastes be located in this area for more than 8 hours. Storage of wastes in this area is prohibited.
7. All waste is considered to be "received" at the facility when it crosses the property line. The receiving process continues thru the unloading of the wastes at the common loading dock area where the incoming waste inspection procedures will take place and the facility determines whether to accept the waste.

#### **G. GENERAL OPERATING REQUIREMENTS**

1. The Permittee shall operate the container storage area in accordance with the Approved Permit Application, subject to the conditions of this permit.
2. All hazardous and non-hazardous special wastes generated by this facility which require further treatment or disposal off-site must be transported to the receiving facility in accordance with the applicable regulations in 35 IAC, Parts 709, 722, 723, 807 and 809, and the Agency's special waste hauling and manifests system.
3. The Permittee shall comply with the applicable Land Disposal Restrictions at 35 Il. Adm. Code Part 728 for all wastes (including components of the crushed lamps, glass, plastic, metal, phosphor powder) shipped off-site for further treatment, storage, or disposal in a landfill.
4. Changes to the permitted facility (the entire Lot F) may constitute a cause for modification of the RCRA permit pursuant to 35 IAC 703 Subpart G. Changes to the facility that do not involve waste management would be considered Class 1 modifications. The application for

these types of Class I modifications must contain sufficient information to demonstrate that the hazardous waste management operations (including emergency response and means of egress) will not be impacted by the proposed modification.

## **H. INSPECTION**

1. The Permittee shall inspect the containers, container storage area, and emergency equipment in accordance with the inspection schedule in the Approved Permit Application and the conditions in this permit. All records of inspections at the facility shall be maintained in the facility operating record.
2. Inspection records required by Condition H.1 above must include the date and time of each inspection, the name of the inspector, notation of the observations made, and the nature and date of any repairs or remedial actions.
3. The permittee shall continuously monitor the ambient air in the facility for mercury vapors whenever the facility is in operation. The mercury monitor shall be located such that it is capable of taking a representative sample of any air emissions from the RCRA container storage area and the processing area. The monitor shall be capable of collecting and reporting both a time weighted average (TWA) and an instantaneous mercury vapor concentration. The instantaneous concentration reading shall be tied to an audible alarm system that will sound if the mercury vapor concentration exceeds the level identified in Condition I.1.d below.
4. The Permittee shall perform a complete annual inspection of the storage area floor's surface coating / concrete sealer. The Permittee shall perform maintenance on the surface coating / concrete sealer as necessary to insure the integrity of the coating.

## **I. CONTINGENCY PLAN**

1. In addition to the conditions listed in the application, the permittee shall implement the Contingency Plan any time:
  - a. Three hundred-sixty (360) or more lamps are accidentally broken in a single incident,
  - b. One-half ( $\frac{1}{2}$ ) or more of the contents of a 55 gallon drum of crushed lamps is spilled,
  - c. The ambient air mercury vapor concentration exceeds  $0.05 \text{ mg/m}^3$  based on an 10-hr time weighted average [TWA], or
  - d. The ambient air mercury vapor concentration exceeds  $0.1 \text{ mg/m}^3$  at any time (based on an instantaneous reading).



2. The Agency's Bureau of Land Regional Office in Des Plaines shall be notified verbally and in writing within 24 hours of implementing the contingency plan.
3. The Permittee shall have and properly maintain a half-face respirator with approved HEPA/mercury cartridges for each employee at Fluorecycle. The permittee shall also have and maintain two additional respirators with HEPA/mercury cartridges.

## **J. CLOSURE**

At closure, at a minimum, all hazardous waste and hazardous waste residues and constituents must be removed from the container storage area. Remaining wastes, liners, bases, soil and groundwater containing or contaminated with hazardous waste, hazardous waste residue or hazardous constituents must be decontaminated or removed. Closure of the container storage area shall be carried out in accordance with the closure plan in the approved permit application, as modified below:

1. The Permittee shall notify the Illinois EPA Bureau of Land Permit Section in writing of its intent to close the container storage area at least 180 days prior to the date closure is expected to begin. Along with this notification, the Permittee shall submit a sampling and analysis plan to be used in demonstrating the container storage area has been properly decontaminated. This plan must be approved by the Illinois EPA Bureau of Land Permit Section in writing prior to being implemented. Illinois EPA review of this plan will be subject to the permit appeal provisions contained in Sections 39(a) and 40(a) of the Illinois Environmental Protection Act. The response from the Illinois EPA will approve and establish:
  - a. The sampling and decontamination plan;
  - b. What contaminants must be analyzed for;
  - c. Analytical requirements (SW-846 Methods should be utilized);
  - d. The contaminant level at which decontamination or removal is considered complete.
2. The Permittee shall steam clean and triple rinse the storage racks and concrete floor of the container storage area identified in Condition I.C.2 of this permit. All sweepings, washwater and rinsate generated during the closure of the unit shall be managed as a hazardous waste, unless it can be shown to be exempt under 35 IAC Part 721. An independent, registered, professional engineer must certify that the surface has no cracks, gaps, or other defects which would allow waste to migrate through to the underlying soil or an approved sampling plan must be used to establish clean closure.

3. The Permittee shall provide post-closure care in accordance with 35 IAC Part 724 for the container storage area if all of the hazardous wastes or contaminated material or media cannot be practicably removed or decontaminated in accordance with the closure requirements outlined in the permit and in the approved closure plan. If it is determined that the closure requirements cannot be met and post-closure care is required, this Permit must be modified to require post-closure care in accordance with 35 IAC, Subtitle G, Part 724, Subparts G and H.
4. Should post-closure care, as described above, become necessary, the Permittee shall submit an application for modification to this permit, including an amended closure and post-closure care plan for this unit, within thirty (30) days following discovery that clean closure cannot be accomplished. If a determination is made to not pursue clean closure prior to the implementation of the closure plan, the modification request shall be made no later than sixty (60) days after the determination is made.
5. Financial assurance for closure and post-closure of the container storage area, if required, shall be provided within thirty (30) days following modification of the permit.
6. Within sixty (60) days after completing closure of the container storage area, the Permittee shall submit certification to the Agency that the unit has been closed in accordance with the approved closure plan.

The closure certification form in Attachment A to this permit or a certification with identical wording must be used. Signatures must meet the requirements of 35 Ill. Adm. Code Section 702.126. The independent engineer (registered in the State of Illinois) should be present at all critical, major points (activities) during the closure. These might include decontamination, soil sampling, soil removal, backfilling, final cover placement, etc. The frequency of inspections by the independent engineer must be sufficient to determine the adequacy of each critical activity. Financial assurance must be maintained for the area(s) until the Agency approves the closure certification for the unit. The Agency's review of closure certification for partial or final closure will be conducted in accordance with 35 IAC 724.243.

A Closure Documentation Report is to be submitted with the closure certification which includes the following items, if applicable:

- a. The volume of waste and waste residue removed, including wastes resulting from decontamination activities.
- b. A description of the method of waste handling and transport.
- c. Copies of the waste manifests.

- c. A description of the sampling and analytical methods used including sample preservation methods and chain-of-custody information.
  - d. A chronological summary of closure activities and the cost involved.
  - e. Tests performed, methods and results.
  - f. Color photographs of closure activities that document conditions before, during and after closure.
  - g. A scale drawing of all excavated or decontaminated areas and sample locations.
7. To avoid creating another regulated storage unit during closure, obtain any necessary permits for waste disposal prior to initiating excavation activities. If it is necessary to store excavated hazardous waste on-site prior to off-site disposal, do so only in containers or tanks for less than ninety (90) days or in the case of a partial closure, a properly permitted unit. Do not create regulated waste pile units by storing the excavated hazardous waste in piles. The ninety (90) day accumulation time exemption (35 IAC 722.134) only applies to containers and tanks.
8. Under the provisions of 29 CFR 1910 (51 FR 15,654, December 19, 1986), cleanup operations must meet the applicable requirements of OSHA's Hazardous Waste Operations and Emergency Response standard. These requirements include hazard communication, medical surveillance, health and safety programs, air monitoring, decontamination and training. General site workers engaged in activities that expose or potentially expose them to hazardous substances must receive a minimum of 40 hours of safety and health training off site plus a minimum of three days of actual field experience under the direct supervision of a trained experienced supervisor. Managers and supervisors at the cleanup site must have at least an additional eight hours of specialized training on managing hazardous waste operations.
9. If the Agency determines that implementation of this closure plan fails to satisfy the requirements of 35 Ill. Adm. Code, Section 724.211, the Agency reserves the right to amend the closure plan. Revisions of closure plans are subject to the appeal provisions of Section 40 of the Illinois Environmental Protection Act.
10. Please be advised that the requirements of the Responsible Property Transfer Act (Public Act 85-1228) may apply to your facility due to the management of RCRA hazardous waste. In addition, please be advised that if you store or treat on-site generated hazardous waste in containers or tanks pursuant to 35 IAC 722.134, those units are subject to the closure requirements identified in 35 IAC 722.134(a)(1).

**K     Financial Assurance**

1. The permittee shall maintain financial assurance for closure of the Container Storage Area of at least \$40,300 (in 2011 dollars). The financial assurance maintained by the facility shall be sufficient to meet the requirements at 35 Ill. Adm. Code 724 Subpart H.
2. The Permittee shall maintain liability coverage for sudden accidental occurrences of at least \$1 Million per occurrence with an annual aggregate of at least \$2 Million. The Permittee shall demonstrate continuous compliance with the liability insurance requirements at 35 Ill. Adm. Code 724.247 and the documentation requirements of 35 Ill. Adm. Code 724.251 until the permitted units are closed.

## SECTION IV: CORRECTIVE ACTION

### A. INTRODUCTION

1. In accordance with Section 3004 of RCRA and 35 IAC 724.201, the Permittee shall institute such corrective action as necessary to protect human health and the environment from all releases of hazardous wastes and hazardous constituents, listed in Appendix H of 35 IAC Part 721, from any solid waste management unit (SWMU) at its facility in Lakemoor, Illinois. The requirements set forth in this section ensure compliance with Section 3004(u) of RCRA and 35 Ill. Adm. Code 724.201.
2. Based upon a review of the available information, no SWMUs are currently present at the subject facility. However, there exists a possibility that the Permittee may, in the future, find or create SWMUs. Therefore, this section sets forth the procedures that the Permittee must follow if it finds or creates SWMUs in the future.

### B. NOTIFICATION REQUIREMENTS FOR AN ASSESSMENT OF NEWLY-IDENTIFIED SOLID WASTE MANAGEMENT UNIT(S)

1. The Permittee shall notify the Illinois EPA in writing of any newly-identified SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, no later than sixty (60) calendar days after discovery. The notification shall provide the following information, as available:
  - a. The location of the newly-identified SWMU in relation to other SWMUs on a scaled map or drawing;
  - b. The type and past and present function of the unit;
  - c. The general dimensions, capacities, and structural description of the unit (available drawings and specifications provided);
  - d. The period during which the unit was operated;
  - e. The specifics on all materials, including but not limited to, wastes and hazardous constituents, that have been or are being managed at the SWMU, to the extent available; and
  - f. The results of any relevant available sampling and analysis which may aid in determining whether releases of hazardous wastes or hazardous constituents have occurred or are occurring from the unit.

2. If the submitted information demonstrates a potential for a release of hazardous waste or hazardous waste constituents from the newly identified SWMU, the Illinois EPA may request in writing, that the Permittee prepare a Solid Waste Management Unit (SWMU) Assessment Plan and a proposed schedule of implementation and completion of the Plan for any additional SWMU(s) discovered subsequent to the issuance of this Permit. Guidance for the development of a SWMU assessment plan will be provided in Illinois EPA's written request for such a plan.

This SWMU Assessment plan must propose investigations, including field investigations if necessary, to determine the release potential to specific environmental media for the newly-identified SWMU. The SWMU Assessment Plan must demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste and hazardous constituents from the newly-discovered SWMU(s) to the environment.

3. The Illinois EPA shall approve, approve with conditions, or disapprove the Plan in writing. If the plan is approved, the Permittee shall begin to implement the Plan within forty-five (45) calendar days of receiving such written notification. If the Plan is disapproved, the Illinois EPA shall notify the Permittee in writing of the Plan's deficiencies and specify a due date for submittal of a revised plan.
4. The Permittee shall submit a report documenting the results of the approved SWMU Assessment Plan to the Illinois EPA in accordance with the schedule in the approved SWMU Assessment Plan. The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan.
5. Additional investigation, and corrective measures as necessary, shall be carried out to ensure the requirements of 35 Ill. Adm. Code 724.201 are met. Further guidance regarding compliance with these requirements will be provided as necessary. The requirements of 35 Ill. Adm. Code 742 must also be met.
6. All Illinois EPA action on newly identified SWMUs are subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.

**C. FINANCIAL ASSURANCE**

35 Ill. Adm. Code 724.201 requires that financial assurance be established for completing required corrective action at solid waste management units:

1. The Permittee shall demonstrate compliance with the financial assurance requirements of 35 Ill. Adm. Code 724.201 by providing documentation of financial assurance using a mechanism specified in 35 Ill. Adm. Code 724.243, in at least the amount of the

approved corrective action cost estimate. The words "completion of corrective action" shall be substituted for "closure and/or post-closure", as appropriate in the financial instrument specified in 35 Ill. Adm. Code 724.251. The Illinois EPA may accept financial assurance for completion of corrective action in combination with another financial mechanism that is acceptable under 35 Ill. Adm. Code 724.246 at its discretion.

2. The financial assurance requirements of 35 Ill. Adm. Code 724.201 must also be met for any investigative or corrective action efforts carried out in accordance with Subsection III.B above. Detailed cost estimates must be developed for any activities carried out under these Sections and must accompany any workplan/report submitted to Illinois EPA for review and approval. Appropriate documentation of financial assurance in at least the amount of the approved cost estimate must be submitted to Illinois EPA within 60 days after the cost estimates are approved.
3. Financial assurance for corrective action must be updated, as necessary, to reflect the current status of the RCRA corrective action program at this facility.

## SECTION V: STANDARD CONDITIONS

### GENERAL REQUIREMENTS

1. **EFFECT OF PERMIT.** The existence of a RCRA permit shall not constitute a defense to a violation of the Environmental Protection Act or Subtitle G, except for development, modification or operation without a permit. Issuance of this permit does not convey property rights or any exclusive privilege. Issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or infringement of state or local law or regulations. (35 Ill. Adm. Code 702.181)
2. **PERMIT ACTIONS.** This permit may be modified, reissued or revoked for cause as specified in 35 IAC 703.270 through 703.273 and Section 702.186. The filing of a request by the Permittee for a permit modification or revocation, or a notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. (35 Ill. Adm. Code 702.146)
3. **SEVERABILITY.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. (35 Ill. Adm. Code 700.107)
4. **PERMIT CONDITION CONFLICT.** In case of conflict between a special permit condition and a standard condition, the special condition will prevail. (35 Ill. Adm. Code 702.160)
5. **DUTY TO COMPLY.** The Permittee shall comply with all conditions of this permit except for the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance constitutes a violation of the Environmental Protection Act and is grounds for enforcement action; permit revocation or modification; or for denial of a permit renewal application. (35 Ill. Adm. Code 702.141 and 703.242)
6. **DUTY TO REAPPLY.** If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must apply for a new permit at least 180 days before this permit expires, unless permission for a later date has been granted by the Illinois EPA. (35 Ill. Adm. Code 702.142 and 703.125)
7. **PERMIT EXPIRATION.** This permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (see 35 Ill. Adm. Code 703.181-703.209) and through no fault of the



Permittee the Illinois EPA has not issued a new permit as set forth in 35 Ill. Adm. Code 702.125.

8. **NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE.** It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (35 Ill. Adm. Code 702.143)
9. **DUTY TO MITIGATE.** In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. (35 Ill. Adm. Code 702.144)
10. **PROPER OPERATION AND MAINTENANCE.** The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory, and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. (35 Ill. Adm. Code 702.145)
11. **DUTY TO PROVIDE INFORMATION.** The Permittee shall furnish to the Illinois EPA, within a reasonable time, any relevant information which the Illinois EPA may request to determine whether cause exists for modifying, revoking and reissuing or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Illinois EPA, upon request, copies of records required to be kept by this permit. (35 Ill. Adm. Code 702.148)
12. **INSPECTION AND ENTRY.** The Permittee shall allow an authorized representative of the Illinois EPA, upon the presentation of credentials and other documents as may be required by law, to:
  - a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate Act, any substances or parameters at any location. (35 Ill. Adm. Code 702.149)

13. MONITORING AND RECORDS. (35 Ill. Adm. Code 702.150)

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste must be the appropriate method from Appendix A of 35 Ill. Adm. Code 721. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW-846, latest versions; Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, latest versions; or an equivalent method as specified in the approved Waste Analysis Plan.
- b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample, measurement, report or application. These periods may be extended by request of the Illinois EPA at any time. The permittee shall maintain records from all groundwater monitoring wells and associated groundwater surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.
- c. Records of monitoring information shall include:
  - i. The date(s), exact place, and time of sampling or measurements;
  - ii. The individual(s) who performed the sampling or measurements;
  - iii. The date(s) analyses were performed;
  - iv. The individual(s) who performed the analyses;
  - v. The analytical technique(s) or method(s) used; and
  - vi. The result(s) of such analyses. (35 Ill. Adm. Code 702.150)

14. **REPORTING PLANNED CHANGES.** The permittee shall give written notice to the Illinois EPA as soon as possible of any planned physical alterations or additions to the permitted facility. In general, proposed changes to the facility will need to be submitted to the Illinois EPA as permit modification request that complies with the requirements of 35 Ill. Adm. Code 703.280. (35 Ill. Adm. Codes 702.152(a))
15. **CONSTRUCTION CERTIFICATION.** For a new hazardous waste management facility, the permittee shall not commence treatment, storage or disposal of hazardous waste; and for a facility being modified the permittee shall not treat, store or dispose of hazardous waste in the modified portion of the facility, until:
  - a. The permittee has submitted to the Illinois EPA by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and
  - b.
    1. The Illinois EPA has inspected the modified or newly constructed facility and finds it is in compliance with the condition of the permit; or
    2. If, within 15 days of the date of submission of the letter in paragraph (a), the permittee has not received notice from the Illinois EPA of its intent to inspect, prior inspection is waived and the permittee may commence treatment, storage or disposal of hazardous waste. (35 Ill. Adm. Code 703.247)
16. **ANTICIPATED NONCOMPLIANCE.** The Permittee shall give advanced written notice to the Illinois EPA of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements, regulations, or the Act. (35 Ill. Adm. Code 702.152(b))
17. **TRANSFER OF PERMITS.** This permit may not be transferred by the permittee to a new owner or operator unless the permit has been modified or reissued pursuant to 35 Ill. Adm. Code 703.260(b) or 703.272. Changes in the ownership or operational control of a facility must be made as a Class 1 modification with the prior written approval of the Illinois EPA. The new owner or operator shall submit a revised permit application no later than 90 days prior to the scheduled change. (35 Ill. Adm. Code 703.260)
18. **MONITORING REPORTS.** Monitoring results shall be reported at the intervals specified in the permit. (35 Ill. Adm. Code 702.152(d))
19. **COMPLIANCE SCHEDULES.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule

of this permit shall be submitted no later than specified in 35 Ill. Adm. Code 702.162.  
(35 Ill. Adm. Code 702.152(e))

20. TWENTY-FOUR HOUR REPORTING.

- a. The Permittee shall report to the Illinois EPA any noncompliance with the permit which may endanger health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the following circumstances. This report shall include the following:
  - i. Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.
  - ii. Information concerning the release or discharge of any hazardous waste or of a fire or explosion at the HWM facility, which could threaten the environment or human health outside the facility.
- b. The description of the occurrence and its cause shall include:
  - i. Name, address, and telephone number of the owner or operator;
  - ii. Name, address, and telephone number of the facility;
  - iii. Date, time, and type of incident;
  - iv. Name and quantity of material(s) involved;
  - v. The extent of injuries, if any;
  - vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where applicable; and
  - vii. Estimated quantity and disposition of recovered material that resulted from the incident.
- c. A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The

Illinois EPA may waive the five day written notice requirement in favor of a written report within fifteen days. (35 Ill. Adm. Code 702.152(f) and 703.245(b))

21. OTHER NONCOMPLIANCE. The Permittee shall report all instances of noncompliance not otherwise required to be reported under Standard Conditions 14, 15, and 16, at the time monitoring reports, as required by this permit, are submitted. The reports shall contain the information listed in Standard Condition 20. (35 Ill. Adm. Code 702.152(g))
22. OTHER INFORMATION. Where the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Illinois EPA, the Permittee shall promptly submit such facts or information. (35 Ill. Adm. Code 702.152(h))
23. REPORTING REQUIREMENTS. The following reports required by 35 Ill. Adm. Code 724 shall be submitted in addition to those required by 35 Ill. Adm. Code 702.152 (reporting requirements):
  - a. Manifest discrepancy report: if a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy with the waste generator or transporter. If the discrepancy is not resolved within 15 days after receiving the waste, the permittee must immediately submit to the Illinois EPA a letter describing the discrepancy and attempts to reconcile it and a copy of the manifest or shipping paper at issue. (35 Ill. Adm. Code 724.172(b))
  - b. Unmanifested waste report: The permittee must submit to the Illinois EPA within 15 days of receipt of unmanifested waste an unmanifested waste report on EPA form 8700-13B. (35 Ill. Adm. Code 724.176)
  - c. Annual report: an annual report must be submitted covering facility activities during the previous calendar year. (35 Ill. Adm. Code 724.175)
24. SUBMITTAL OF REPORTS OR OTHER INFORMATION. All written reports or other written information required to be submitted by the terms of this permit shall be sent to:

Illinois Environmental Protection Agency  
Bureau of Land  
Planning and Reporting Section - #24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

25. SIGNATORY REQUIREMENT. All permit applications, reports or information submitted to the Illinois EPA shall be signed and certified as required by 35 Ill. Adm. Code 702.126. (35 Ill. Adm. Code 702.151)
26. CONFIDENTIAL INFORMATION. Any claim of confidentiality must be asserted in accordance with 35 Ill. Adm. Code 702.103 and 35 Ill. Adm. Code 161.
27. DOCUMENTS TO BE MAINTAINED AT FACILITY SITE. The Permittee shall maintain at the facility, until closure is complete, the following documents and amendments, revisions and modifications to these documents:
  - a. Waste analysis plan as required by 35 Ill. Adm. Code 724.113(b) and this permit.
  - b. Personnel training documents and records as required by 35 Ill. Adm. Code 724.116(d) and this permit.
  - c. Contingency plan as required by 35 Ill. Adm. Code 724.153(a) and this permit.
  - d. Closure plan as required by 35 Ill. Adm. Code 724.212(a) and this permit.
  - e. Cost estimate for facility closure as required by 35 Ill. Adm. Code 724.242(d) and this permit.
  - f. Operating record as required by 35 Ill. Adm. Code 724.173 and this permit.
  - g. Inspection schedules as required by 35 Ill. Adm. Code 724.115(b) and this permit.
28. WASTE MINIMIZATION. The Permittee shall certify at least annually that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable, and the proposed method of treatment, storage, or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment, in accordance with 35 Ill. Adm. Code 724.173(b)(9).

#### GENERAL FACILITY STANDARDS

29. NOTICE OF WASTE FROM A FOREIGN SOURCE. The permittee who has arranged to receive hazardous waste from a foreign source must notify the Illinois EPA in writing at least four weeks in advance of the date the waste is expected at the facility. (35 Ill. Adm. Code 724.112(a))

30. NOTICE OF WASTE FROM OFF-SITE. The Permittee who receives hazardous waste from an off-site source (except where the Permittee is also the generator), must inform the generator in writing that the permittee has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the facility operating record. (35 Ill. Adm. Code 724.112(b))
31. GENERAL WASTE ANALYSIS. The Permittee shall comply with the procedures described in the approved waste analysis plan. (35 Ill. Adm. Code 724.113)
32. SECURITY. The Permittee shall comply with the security provisions of 35 Ill. Adm. Code 724.114(b) and (c).
33. GENERAL INSPECTION REQUIREMENTS. The Permittee shall follow the approved inspection schedule. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by 35 Ill. Adm. Code 724.115(c). Records of inspections shall be kept as required by 35 Ill. Adm. Code 724.115(d).
34. PERSONNEL TRAINING. The Permittee shall conduct personnel training as required by 35 Ill. Adm. Code 724.116 and shall maintain training documents and records as required by 35 Ill. Adm. Code 724.116(d) and (e).
35. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE. The Permittee shall comply with the requirements of 35 Ill. Adm. Code 724.117.

#### **PREPAREDNESS AND PREVENTION**

36. DESIGN AND OPERATION OF FACILITY. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. (35 Ill. Adm. Code 724.131)
37. REQUIRED EQUIPMENT. The Permittee shall equip the facility with the equipment set forth in the approved contingency plan, as required by 35 Ill. Adm. Code 724.132.
38. TESTING AND MAINTENANCE OF EQUIPMENT. The Permittee shall test and maintain the equipment specified in the contingency plan and this permit as necessary to assure its proper operation in time of emergency. Such testing and maintenance activities are set forth in the approved inspection schedule. (35 Ill. Adm. Code 724.133)

39. ACCESS TO COMMUNICATIONS OR ALARM SYSTEM. The Permittee shall maintain access to the communications or alarm system as required by 35 Ill. Adm. Code 724.134.
40. REQUIRED AISLE SPACE. The Permittee shall maintain aisle space as required by 35 Ill. Adm. Code 724.135 and National Fire Protection Association (NFPA) requirements.
41. ARRANGEMENTS WITH STATE AND LOCAL AUTHORITIES AND EMERGENCY RESPONSE CONTRACTORS. The Permittee shall attempt to make emergency response arrangements with State and local authorities and agreements with State emergency response teams and emergency response contractors and equipment suppliers as required by 35 Ill. Adm. Code 724.137. If State or local officials refuse to enter in preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

#### **CONTINGENCY PLAN**

42. IMPLEMENTATION OF PLAN. The provisions of the contingency plan must be carried out by the Permittee immediately whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment (35 Ill. Adm. Code 724.151(b)). At a minimum, this includes any fire or explosion which occurs in an area where hazardous waste is being managed (treated, stored or disposed) (35 Ill. Adm. Code 703.241). Within 15 days of any incident that requires implementation of the contingency plan, the owner or operator must submit a written report to the Illinois EPA as required by 35 Ill. Adm. Code 724.156(j).
43. COPIES OF PLAN. A copy of the contingency plan, including any revisions, must be maintained at the facility and submitted to all local police and fire departments, hospitals and state and local emergency response teams as required by 35 Ill. Adm. Code 724.153.
44. AMENDMENTS TO PLAN. The Permittee shall review and immediately amend, if necessary, the contingency plan, as required by 35 Ill. Adm. Code 724.154.
45. EMERGENCY COORDINATOR. A trained emergency coordinator shall be available at all times in case of an emergency as required by 35 Ill. Adm. Code 724.155 and 724.156.

#### **MANIFEST SYSTEM RECORD KEEPING AND REPORTING**

46. MANIFEST SYSTEM. The Permittee shall comply with the manifest requirements of 35 Ill. Adm. Code 724.171, 724.172 and 724.176.



- 47. OPERATING RECORD. The Permittee shall maintain a written operating record at the facility in accordance with 35 Ill. Adm. Code 724.173.
- 48. ANNUAL REPORT. The Permittee shall prepare and submit an annual report to the Illinois EPA prior to March 1st of each year in accordance with the requirements of 35 Ill. Adm. Code 724.175.

### CLOSURE

- 49. PERFORMANCE STANDARD. The Permittee shall close the facility as required by 35 Ill. Adm. Code 724.211 12 and in accordance with the approved closure plan.
- 50. AMENDMENT TO CLOSURE PLAN. The Permittee must amend the closure plan whenever there is a change in the expected year of closure or whenever a change in the facility operation plans or facility design affects the closure plan pursuant to 35 Ill. Adm. Code 724.212(c).
- 51. NOTIFICATION OF CLOSURE. The Permittee shall notify the Illinois EPA at least 60 days prior to the date it expects to begin closure. (35 Ill. Adm. Code 724.212(d))
- 52. TIME ALLOWED FOR CLOSURE. After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste and complete closure activities in accordance with the schedule(s) specified in the closure plan. (35 Ill. Adm. Code 724.213)
- 53. DISPOSAL AND/OR DECONTAMINATION OF EQUIPMENT. When closure is completed, the Permittee shall decontaminate and/or dispose of all facility equipment and structures as required by the approved closure (35 Ill. Adm. Code 724.214) plan.
- 54. CERTIFICATION OF CLOSURE. When closure is completed, the Permittee shall submit certification to the Illinois EPA in accordance with 35 Ill. Adm. Code 724.215 that the facility has been closed as specified by the approved closure plans.
- 55. COST ESTIMATE FOR FACILITY CLOSURE. The Permittee's original closure cost estimate, prepared in accordance with 35 Ill. Adm. Code 724.242, must be:
  - a. Adjusted for inflation 60 days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with Section 724.243. However, if the owner/operator is using the financial test or corporate guarantee, it must be updated for inflation within 30 days after close of the firm's fiscal year, and before the submission of updated information to the Illinois EPA as specified in Section 724.243(f).

- b. Revised no later than 30 days after the Illinois EPA has approved a request to modify the closure plan, if the change in the closure plan increases the cost of closure.
  - c. Kept on record at the facility and updated. (35 Ill. Adm. Code 724.242)
  - d. Made immediately available to Illinois EPA personnel upon Illinois EPA request.
56. FINANCIAL ASSURANCE FOR FACILITY CLOSURE. The Permittee shall demonstrate compliance with 35 Ill. Adm. Code 724.243 by providing documentation of financial assurance, as required by 35 Ill. Adm. Code 724.251, in at least the amount of the cost estimates required by the previous Permit Condition. Changes in financial assurance mechanisms must be approved by the Illinois EPA pursuant to 35 Ill. Adm. Code 724.243.

Financial assurance documents submitted to Illinois EPA should be directed to the following address:

Illinois Environmental Protection Agency  
Bureau of Land #24  
Financial Assurance Program  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

57. LIABILITY REQUIREMENTS. The Permittee shall demonstrate continuous compliance with the requirements of 35 Ill. Adm. Code 724.247 and the documentation requirements of 35 Ill. Adm. Code 724.251.
58. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS. The Permittee shall comply with 35 Ill. Adm. Code 724.248 whenever necessary.

#### LAND DISPOSAL RESTRICTIONS

59. DISPOSAL PROHIBITION. Any waste identified in 35 Ill. Adm. Code Part 728, Subpart C, or any mixture of such a waste with nonrestricted wastes, is prohibited from land disposal unless it meets the standards of 35 Ill. Adm. Code Part 728, Subpart D, or unless it meets the requirements for exemptions under Subpart C. "Land disposal" means placement in or on the land and includes, but is not limited to, placement in a landfill,

surface impoundment, waste pile, injection well, land treatment facility, or vault intended for disposal.

60. DILUTION PROHIBITION. The Permittee shall not in any way dilute a restricted waste or residual from treatment of a restricted waste as a substitute for adequate treatment in order to achieve compliance with 35 Ill. Adm. Code 728, Subpart D (35 Ill. Adm. Code 728.103).

61. WASTE ANALYSIS.

- a. The Permittee must test his waste or extract developed, using the test method identified in Appendix I of 40 CFR Part 268, or use knowledge of the waste, to determine if the waste is restricted from land disposal.
- b. For any waste with treatment standards expressed as concentrations in the waste extract, the Permittee must test the treatment residues or an extract of such residues developed using the test method described in Appendix I of 40 CFR Part 268, to assure that the treatment residues or extract meet the applicable treatment standard.
- c. If the treatment residues do not meet the treatment standards, or if the Permittee ships any restricted wastes to a different facility, the Permittee shall comply with the requirements applicable to generators in 35 Ill. Adm. Code 728.107 and 728.150(a)(1).

62. STORAGE RESTRICTIONS

- a. The Permittee shall not store hazardous wastes restricted from land disposal under 35 Ill. Adm. Code Part 728, Subpart C unless such wastes are stored only in containers or tanks, and are stored solely for the purpose of the accumulation of such quantities as is necessary to facilitate proper recovery, treatment, or disposal, and: (1) each container is clearly marked to identify its contents and the date each period of accumulation begins; (2) each tank is clearly marked to identify its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, as required by 35 Ill. Adm. Code 728.150.
- b. The Permittee must comply with the operating record requirements of 35 Ill. Adm. Code 724.173.

63. NEW DETERMINATIONS OF PROHIBITED WASTES

Wastes which are prohibited from land disposal under 35 Ill. Adm. Code Part 728, Subpart C, or for which treatment standards have been established under 35 Ill. Adm. Code 728, Subpart D, subsequent to the date of issuance of this permit, shall be subject to the conditions number 59 through 62 above.

## SECTION VI - SPECIAL CONDITIONS

1. The Permittee is required to complete and provide the following 39i Certification forms to the Illinois EPA Bureau of Land:

- a. A 39i (legal entity) certification form must be filled out for the legal entity (i.e. Company) that appears on the permit application being submitted, and
- b. A 39i (individual) form must be filled out for the individual that signs the 39i (legal entity) certification form, and
- c. A 39i (individual) form must be filled out for each individual who signs the permit application.

Note: If the applicant wants additional staff to be able to send in future modifications, certifications, etc. those individuals should also send in an individual 39i certification form.

2. The permittee shall submit the necessary 39i certification form(s) and supporting documentation within 30 days of the effective date of this permit and thereafter within 30 days of any of the following events:

- a. The owner or operator, or officer of the owner or operator, or any employee who has control over operating decisions regarding the facility has violated federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites; or
- b. The owner or operator, or officer of the owner or operator, or any employee who has control over operating decisions regarding the facility has been convicted in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or
- c. The owner or operator, or officer of the owner or operator, or any employee who has control over operating decisions regarding the facility has committed an act of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of waste.
- d. A new person is associated with the owner or operator who can sign the permit application or who has control over operating decisions regarding the facility, such as a corporate officer or a delegated employee.

The 39i certification must describe the violation(s), convictions, carelessness, or incompetence as outlined in (a), (b), or (c) above and must include the date that a new person as described in (d) above began employment with the applicant.

The 39i certification form and supporting documentation shall be submitted to the address specified below:

Illinois Environmental Protection Agency  
Bureau of Land #33 -- 39i Certification  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

[The 39i certification forms will be treated as confidential by the Agency. The applicant may also request the information on the 39i certification form be maintained confidential in accordance with 2 IAC 1828.]

## SECTION VII

### REPORTING AND NOTIFICATION REQUIREMENTS

The reporting and notification requirements of each section of the RCRA permit are summarized below. This summary is provided to highlight the various reporting and notification requirements of this permit.

CONDITION	SUBMITTAL	DUE DATE
CONTAINER STORAGE		
III.I.2	Notify Regional Office of implementation of the Contingency Plan.	Within 24 hours of implementation of the Contingency Plan.
III.J.1	Notify Agency of intent to close the container storage area	At least 180 days prior to commencement of closure.
III.J.1	Submit decontamination and/or soil sampling and analysis plan for review.	At least 180 days prior to closure.
III.J.3	Submit application for modification of permit and closure / post-closure plan.	No later than 60 days after determining the container storage area cannot be clean closed.
III.J.5	Update Financial Assurance for closure and post-closure of the container storage area.	No later than 30 days after modification of the permit to include post-closure care.
III.J.6	Certification of Closure	Within 60 days of completing closure of the container storage area.
CORRECTIVE ACTION		
IV.B.1	Notification of new SWMU.	Within 60 calendar days after discovery of SWMU.
STANDARD CONDITIONS		
V.6	Complete application for new permit	At least 180 days prior to expiration of this permit.
V.11	Information requested by Agency and copies of records required to be kept by this permit.	Within a reasonable time of the request.
V.14	Notify the Agency of planned	At least 15 days prior to

CONDITION	SUBMITTAL	DUE DATE
	physical alterations or additions	any planned change.
V.15	Construction Certification	At least 15 days prior to planned use of modified portion of facility.
V.16	Notify Agency of any changes that may result in noncompliance with this permit.	Within 15 days of the change.
V.17	Application for permit modification to transfer permit.	At least 90 days prior to the transfer date.
V.19	Submission of any information required in a compliance schedule.	Within 14 days after each schedule date.
V.20	Report to Agency any non-compliance that may endanger human health or the environment.	
	By telephone	Within 24 hours after discovery.
	In writing	Within 5 days after discovery.
V.21	Report all other instances of noncompliance	March 1 of each year along with Annual Report.
V.23.a	Manifest discrepancy report.	Within 15 days of receipt of waste (if discrepancy is not resolved)
V.23.b	Unmanifested waste report	Within 15 days of receipt of unmanifested waste.
V.29	Notify Agency in writing of expected receipt of hazardous waste from foreign source	At least 4 weeks prior to receipt of waste.
V.42	Implementation of Contingency Plan	
	Notify appropriate state and local agencies with designated response roles.	As needed.
	Notify appropriate local officials.	Immediately if emergency coordinator's assessment indicates evacuation of local area is advisable.
	Notify the Agency (217/782-3637) or Illinois ESDA (217/782-7860) if emergency coordinator determines there has been a release, fire or	Immediately after determination is made



CONDITION	SUBMITTAL	DUE DATE
	explosion that could threaten human health or the environment, outside the facility.	
	Notify Agency and appropriate state and local authorities, in writing that facility is in compliance with 35 IAC 724.156(h).	Prior to resuming operation in affected areas.
	Report to Agency details regarding incident that required implementation of contingency plan.	Within 15 days after event.
V.48	Annual Report required by 724.175.	March 1 of each year.
V.50	Permit modification to amend closure plan.	As required.
V.51	Notification of closure	At least 60 days prior to initiating closure.
V.55.a	Closure cost estimate adjusted for inflation.	60 days prior, or 30 days after anniversary date (depending on type of financial instrument used).
V.55.b	Revised closure cost estimate	As needed.
V.56	Change in financial assurance mechanism.	As needed.
V.57	Change in coverage for sudden or non-sudden liability insurance.	As needed.
V.58	Notification of commencement of voluntary or involuntary bankruptcy proceedings	Within 10 days after commencement of proceeding.

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## ATTACHMENT A

### Closure Certification Statement

This statement is to be completed by both the responsible officer and by the registered professional engineer upon completion of closure. Submit one copy of the certification with original signatures and three additional copies.

The hazardous waste container storage unit (S01) at the facility described in this document has been closed in accordance with the specifications in the approved closure plan. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
USEPA ID Number

\_\_\_\_\_  
Facility Name

\_\_\_\_\_  
Signature of Owner/Operator

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Signature of Registered P.E.

\_\_\_\_\_  
Printed Name of Registered P.E. and Illinois  
Registration Number

[P.E. Stamp]

\_\_\_\_\_  
Date